HOUSE OF ASSEMBLY

Thursday 8 November 1990

The SPEAKER (Hon. N.T. Peterson) took the Chair at 11 a.m. and read prayers.

ECONOMY

Mr S.J. BAKER (Deputy Leader of the Opposition): I move:

That this House—

(a) views with alarm the dramatic deterioration in the rural economy, the cost pressures bankrupting small businesses, the inflated Australian dollar destroying export potential and the decline in domestic demand impacting on manufacturing and commercial enterprises which collectively are contributing to a severe recession in this State and nation;

(b) condemns the Federal Government, and in particular Prime Minister Hawke and Treasurer Keating, for the high interest rate, high inflation, high external debt and high Australian dollar policies being pursued; and

(c) calls on the Federal Government to radically change its policies to reverse the downward economic trend, or resign.

I take no pleasure in moving this motion. I believe that it is one of the most serious motions I have moved in this House. I feel a great deal of anguish and anxiety about the economic events that prevail today in the South Australian and national economies. Those events have been brought on by the policies of Messrs Hawke and Keating to the great detriment of the Australian and South Australian community.

I remind the House of some of the very serious ingredients that we see out there today. In my memory, and from my research, they are the most serious impediments to the economic growth or to the sustinence of the Australian economy since the Second World War. I have made that statement to the House previously, and now I wish to expand on some of my comments.

I do not wish in any way to cause further depreciation or harm to the Australian economy than has already been caused, but it is important that we, as a State, express our complete lack of faith in the policies being pursued by the Federal Government and express our desire to see change. Without this type of resolution I am sure that we will see a continuation of the policies of Messrs Hawke and Keating that are wrecking this country.

I will go through some of the statistics. Behind the statistics is a lot of heartache, bankruptcy and poverty. So, in using the statistics I am only trying to highlight changes which have taken place and which are to the detriment of the South Australian economy. It would be wrong of me to dwell purely on statistics; it should be clearly understood that behind these figures are people, people who are struggling and whose economic circumstances will only worsen.

I take up the issue of the agricultural sector. I know that my colleagues, including the shadow Minister of Agriculture, and a number of my rural colleagues, have been informing the House on just how difficult things are on the land. I will give a brief resume, from my point of view, of the changes that are taking place and the disasters that have befallen the Australian rural community. For example, we know that rural incomes will be down 50 per cent, and the areas especially affected are wool, wheat, barley and citrus. That is according to a number of authorities. It is not only the National Farmers Federation; it is also authorities such as the State Bank and their economic reports, and indeed a number of very authoritative experts in the area of finance and economics have been confirming that the rural downturn is the most severe since the Second World War.

I point to some of the other figures that people need to keep in mind; the gross value of South Australian agricultural production in 1989 was $2.6 billion—that was the contribution from our South Australian farmers—60 per cent was from crops and 40 per cent was from livestock. In both those areas there has been a severe downturn. South Australian wool was worth $566 million; sheep and lambs were slaughtered worth $83 million; and wheat $575 million. So $1.2 billion, or 47 per cent of the State's agricultural production, is under threat from the crisis in the wheat and sheep industries alone. According to the State Bank's Rural Banking Unit, income from wheat, wool and barley production in 1990-91 could be 43 per cent, or $534 million less than in 1989-90.

There has been a lack of Federal compensation to farmers for the Iraqi/Kuwait trade loss and lack of vigilance in enforcing anti-dumping legislation in areas such as citrus. The South Australian rural exports to the Persian Gulf have been severely affected, as everybody would appreciate, but there has been no money flowing back to the South Australian economy, or the South Australian rural community, from the Federal Government. Not one cent has been provided, notwithstanding that the Federal Government undertook to ensure that nobody would lose as a result of our stance on that particular situation.

South Australian wheat and barley exports to Iraq and Kuwait alone were worth $57 million last year, and that has been halted by the United Nations trade embargo. South Australian wheat, barley, live sheep and other exports to the rest of the Persian Gulf countries were worth $379 million last year and they are in jeopardy because of the current conflict. The Riverland producers have been severely affected by the lack of action by the Federal Government on the dumping of citrus and its extracts on the Australian economy. In recent times the price that we pay to the Riverland fruitgrowers for such items as oranges will in no way cover the costs of production, because the Federal Government has just opened the doors and let other countries dump their surpluses on Australia.

Almost every other country in the world protects its rural production. We do not have subsidies here in Australia like they have in other countries, yet the Federal Government has allowed these countries, including some of the Mediterranean countries, with their dried fruits, to come here and undercut good, solid Australian producers. There will be enormous fallouts, particularly in the Riverland and in other areas of Australia because of the lack of action by the Federal Government.

I now turn to another area of the economy, the manufacturing sector. Members will well remember a previous contribution on this matter. The Engineering Employers Federation September Survey of Business Trends, released last month, found that 64 per cent of respondents were experiencing slow or very slow and deteriorating conditions, compared with 10 per cent in April 1989. A huge 56 per cent reported work force reductions in September. They have had to reduce to survive. Again, that is as a result of two or three influences. Obviously, if they are domestic producers, there is slowing domestic demand. If they are international producers, it is as a result of the overly high dollar, which makes them uncompetitive.

Of course, the third influence is that some of them are struggling to survive because of the high interest rate regime that has been maintained by this Government. Since July this year, retailers and manufacturers have claimed that the

economy is in recession. However, neither Hawke nor Keating has had the guts to admit the devastation that their policies have caused. Indeed, it was only last night that we heard the Prime Minister say that it may be possible that the Australian economy is in recession.

The construction industry is sluggish and major new projects are almost non-existent. One has to look only at the skyline of Adelaide, for example, to see that the only building under construction is the Remm-Myer development. Over-capacity in a city like Adelaide, where there is over 10 per cent of unlet office space, will keep the industry depressed, particularly as bankrupt businesses vacate their premises. The AFCC estimates that the level of non-residential building in South Australia will fall by 17 per cent this financial year and by a further 12.7 per cent next year. That figure is repeated across the whole country. In fact, some States are worse off because they have been through a boom that we have not experienced. So, in a very vital area, we are seeing a downturn. People would recognise that there are difficulties in the motor vehicle industry. If members go to the Holden or the Mitsubishi factories, they will find that many cars are being stockpiled in car parks. We are fortunate that Mitsubishi has an agreement with Japan to export vehicles to that country. However, for the rest of the motor vehicle manufacturing industry, it is a very grim picture indeed.

Historically, these figures have been used as an indicator of the state of the economy. Traditionally we have said that if the building industry is going well, the economy is going well; and if the motor vehicle industry is going well, the economy is going well. We are now seeing some of the worst results that could possibly have prevailed in the past 30 to 40 years. From where has that stemmed? The problems we are seeing here are only the start. Unfortunately, we have not seen the bottom. This is the start of a downward drift due to the policies of Messrs Hawke and Keating. It is difficult not to get emotive under these circumstances; it is difficult not to liken Hawke and Keating to flotsam and jetsam. Like shipwrecks, they are floating wreckage because of the damage that has been caused to the South Australian economy and the Australian economy. Keating has virtually jettisoned the Australian economy simply because he cannot understand economics and because he does not want to take hard decisions, and that is quite unforgivable.

I now refer to the foreign debt, because that is the most compelling and most complex issue that this country faces today. At 30 June 1990, net foreign debt totalled $122.8 billion, and gross foreign debt was $155.4 billion. The debt servicing ratio, which represents the net interest payable abroad on net foreign debt as a percentage of the export of goods and services for the year, was 20 per cent. So, of everything we export overseas, 20 per cent has to be used to pay the cost of our net debt overseas. Yesterday, Mr Dawkins, the Minister of Finance, admitted that Australia would have to increase net exports by $3 billion a year, just to stabilise our foreign debt. That means that to keep up with our interest repayments we need an extra $3 billion worth of exports so that we can at least keep the figure stable. Our economy is going into recession so how in the hell can any country such as Australia produce that increase in exports with the difficulties that it is facing today?

Unless there is some miracle—and there are no miracles—we will see foreign debt increase under its own volition because the debt will continue to churn over and capitalise through time. This will result in more selling off of the farm to foreigners to pay for our current consumption level. If one looks at what has happened to this country, one will see that we will have to sell off and keep selling off our assets just to maintain our foreign debt so that it is not completely out of control. We cannot reduce it through exports because the driving force for exports happens to be manufacturing investment. We have just seen what is happening in relation to manufacturing investment across this country, and what is happening to the manufacturing sector. At this stage, we will not export our way out of it, even though everybody in this Parliament would love us to do that; that is not practical. The only way to stop that debt increasing to $200 billion or $300 billion under its own volition is to sell off our assets—sell off our companies and sell off our land. We have already seen that under the policies. We must come to grips with what Australia is today, and who will own it in 10 years.

The most disappointing aspect in the space of five or six years, when we have seen net debt increase from $20 billion to $120 billion, is the fact, that whilst we have created jobs for short-term gain, the money has to be repaid. The Premier says, 'Look, we have done very well in South Australia.' but I could do very well with $120 billion, too. I could create millions of jobs with $120 billion worth of debt. Anybody could do that. It is important, having borrowed this money, to repay it. The policies that have been pursued by the Federal Government assisted in the debt getting out of control, and there is no way under the current regime that we will bite the bullet and start to turn the situation around.

I will talk about some of the policies with which this flotsam and jetsam have been involved. Since the 1987 election, the Government has pursued an easy money policy, with annual growth in credit and the money supply averaging 20 per cent to 30 per cent until March this year. In other words, if you want to borrow, just do so. If you want to use credit, increase the money supply and let it run free. That is why domestic demand stayed up over that period until interest rates finally collared it, because the debt and the repayments for individual debt have become so large. What has happened to all these companies? If the Government wanted to go into a free market, and if it wanted to deregulate the finance market, it had a number of other responsibilities: it had to free up the labour market and it had to keep the corporate sector under control. We have seen some gross mistakes by some of our larger companies and some of our larger entrepreneurs, assisted by the taxing policies of this Government, by the tax breaks on takeovers and by the Government's attitude of 'Let's open up the market doors, but let's not deregulate the whole market'. As a result we now have the aberrations that we see today.

Certain people have estimated that currently there is a $9 billion debt overhang with the corporate sector. That is in net terms. It can never be repaid. If one considers the total debt figure, it runs into hundreds of billions of dollars but in terms of what has actually disappeared for no economic effort, the figure is $9 billion. We have not seen anything that has benefited this country. We have not seen money going into capital investment to improve our prospects to trade our way out of the current dilemma in the future. It has all been spent.

The Hawke Government has penalised savings by double-taxing interest as income, even when inflation is high. The unprecedented cosy, personal relationship that Messrs Hawke and Keating have shared with so-called entrepreneurs may have contributed to the lack of will to prosecute for breaches of the Companies Code and other Acts. Above all, what we have seen in this country is an absolute disgrace, an absolute abdication of responsibility. We have seen company breaches of extraordinary proportions. We have seen the Corporate

Affairs Commission and Federal instrumentalities running around chasing up people with a $50 000 debt whilst other corporations have been breaking the laws and building up billions of dollars worth of debt. That has occurred with the assistance of the Federal Government in the shape of Hawke and Keating. So, we have had no oversight whatsoever of the management of companies in this country, and we do have instrumentalities for that.

When a person transgresses, that person should feel the full force of the law, but that has not occurred. We have seen deliberate company breaches which have gone without prosecution, ably assisted by Messrs Hawke and Keating, so there has been no check and balance in the system. When I consider where we are in the world economy, I become depressed. Back in 1982-83, sure, we were not competitive with the rest of the world; there was a great need for change, but where we are today is far worse than our situation in 1982-83.

The Hon. M.D. Rann interjecting:

Mr S.J. BAKER: Let me tell the House that we did not actually have a debt overhang of $122.8 billion.

Members interjecting:

Mr S.J. BAKER: The honourable Minister should know that the inflation rate will fluctuate in any country at any time, but whether it causes long-term damage is the important aspect.

Members interjecting:

Mr S.J. BAKER: The honourable member has raised inflation as an important issue. Let me tell the House—

Mr Hamilton: Are you saying it is not important?

Mr S.J. BAKER: I think it is a very important issue. We will measure ourselves against the OECD countries, because members opposite believe it is critical. The latest measure of inflation amongst the 25 OECD countries indicates that Australia ranks seventeenth highest. I must admit that we are beating such sensational performers as Greece, Iceland, Italy, New Zealand, Portugal, Spain, Turkey and Yugoslavia, with Yugoslavia being at about 60 per cent. That is nothing to be proud of.

The Hon. M.D. Rann: What was it under John Howard?

Mr S.J. BAKER: The Minister should do some research and work out where we were back then, when world inflation was much higher. I guarantee that we would not have been higher than seventeenth where we are today. We see countries such as Japan with an inflation rate of about 1 per cent.

Let us now look at gross fixed capital expenditure and gross fixed capital formation. That is the driving force of the economy; that is the money that goes into creating more jobs. According to the OECD figures, in 1987 (which was a good year for us with respect to capital formation) we ranked nineteenth of the 25 countries. And 1987 was one of our best years in terms of gross capital formation. We had an increase over the previous five years of 1.7 per cent per annum. We actually beat Iceland, Greece and Portugal, which had a negative capital formation, but I would not have thought that that was of great moment.

Let us consider our foreign trade performance compared with the OECD countries. In the latest measure, we rank twentieth with an average increase over the past five years of 4.4 per cent. That is compared with such strong economies as Germany with 10.7 per cent and Japan with 12.1 per cent. However, Yugoslavia has only 2.2 per cent, so we have done twice as well as Yugoslavia, and that is something that members opposite are probably proud of. It does not particularly please me.

The Hon. T.H. Hemmings: That has nothing to do with the motion.

Mr S.J. BAKER: It has everything to do with the motion. If the GDP per capita is used as a measure, one can see that we have deteriorated; we finished seventeenth whereas, at the turn of the century, we were at the top. What is important for this House to understand is that we have been going backwards; we have borrowed, borrowed and borrowed again and, whether through the Federal Government or the corporate sector, we have created jobs, but only for the short term. We have this massive debt overhanging the economy, so that interest rates will have to remain high in real terms. If the economy were healthy, interest rates should be no more than 2 per cent or 3 per cent above inflation; that was the relationship that existed during the days of strong growth in the 1950s and 1960s. That relationship is very strong if real interest rates can be kept within the 2 per cent to 3 per cent margin.

The debt, interest rates and the Australian dollar have been kept high by the Prime Minister for the express purpose of dampening demand, but that has failed because we have seen that in every quarter our gross foreign debt has increased because of the policies that have prevailed. So, it has not done anybody any good. It has priced many of our products out of the market; it has hurt our rural colleagues, because they are getting less for their products; it has hurt our manufacturers because they cannot sell their goods and compete on the overseas market; and, eventually, it will hurt the ALP. But let us face it: we are just politicians. What we do in life is not important: what we do for the people of Australia and South Australia is important. It is totally uncomplimentary to this Premier—in fact, is is quite retrograde of him—that he has not taken the fight to Canberra to persuade Messrs Hawke and Keating that their economic policies are not only wrong but also absolutely disastrous for the people of South Australia.

I ask everyone on both sides of the House to support the motion, because it will highlight that where we have been is not good enough; where we have been has meant an enormous debt burden being created and imposed on the Australian society, a burden that, with the best will in the world, will take us 20 or 30 years to come to grips with. So, the past seven years have indelibly printed Australia with a debt with which, I believe, it will be impossible to grapple and, unless we make some radical changes to our thinking and the way we operate, we will slide down that economic tunnel into oblivion as a country that was once proud within the world scene. We have the capacity to perform if we make the right decisions. I believe it is an important motion; I believe it is important that the House support this proposition and tell Keating and Hawke clearly and unequivocally that their policies have been disastrous.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

MINISTER FOR ENVIRONMENT AND PLANNING

Mr LEWIS (Murray-Mallee): I move:

That this House deplores and condemns the cavalier way in which the Minister for Environment and Planning has abused the privileges she enjoys in this building by booking facilities in this building (ostensibly for her own use) and when arranging for people who are not members of Parliament to take over control and occupancy of those facilities, to the exclusion and abuse of other members' rights of access.

This is a fairly simple and straightforward matter. One can tell the Minister for Environment and Planning but one

cannot tell her much. Attempts have been made to get her to understand that the facilities in this building are placed and allocated here for the purpose of enabling members to get their work done in representing the interests of their constituents and those of all the people of South Australia.

Goodness knows, we all know, and a recently commissioned report by SACON clearly indicated that the facilities of this building are limited, antiquated and inadequate. We cannot get enough space in which to do our work now. Anyone else in the South Australian work force would be working under what are regarded by occupational health and safety laws and regulations as unacceptable conditions. Yet, in spite of the inadequacy of these facilities, the Minister for Environment and Planning has indicated that she does not care a fig for the interests of other members and their rights of access to and use of facilities, limited though they are.

That is most unfortunate because, on two occasions in recent months, by her actions she has illustrated the point that I am making. The most recent incident, and the one that prompted me in discussion with some other members to place this motion on the Notice Paper, was when she booked the second floor conference room and failed to turn up. Indeed, she sent along a member of her department to meet the press. Like all other places in this building, the second floor conference room is not for the Public Service. It is not for members of the general public. It is here for the purpose of members of this place, be they ordinary backbenchers, whether or not they are members of a political Party, or Ministers, to get their message across to members of the general public, and they are provided here, albeit in limited quantity and form, and in antiquated form at that, so that we can perform that function without too much disruption to the other work we must do.

Not one member of this place nor anyone who has ever worked with a member of this place can do the work he has to do on behalf of his constituents within a standard working week in terms of the amount of time taken. There would be several percentage points increase on that every week in which members have to do that work. Yet, the Minister for Environment and Planning complicates the difficulty we already suffer by booking in her own name facilities in this building, such as the second floor conference room, and allocates them to members of the general public or, in this instance, to a senior public servant, without so much as a beg your pardon, excuse me or may I. I will not mention the department or the project about which that senior public servant was speaking in that facility because I do not want him or her to feel embarrassed by what the Minister subjected that person to, and I will not identify the gender for that reason. That person was clearly in contempt of what Parliament is here for and the Minister abused her privileges, and everyone elses, by using the facility in that fashion.

The first instance (and there have been previous instances) that made me begin to feel that the Minister did not understand what Parliament was about came earlier this year when, for the purpose of having an outside organisation or organisations brief members of Parliament, the Minister booked the same room. In that instance, she booked the room in her name and told the outside organisation or organisations to send a circular to all members of the Liberal Party, in this instance, inviting them to come to a briefing in that room.

The Hon. T.H. Hemmings: What about?

Mr LEWIS: I do not want to embarrass the people from that organisation, but I will say this much: they were conservation organisations. Representatives of those organisations were told that the facilities of Parliament House were available to them to brief the Liberal Party. There was not so much as a by your leave, would you like or anything else. The Minister simply told the organisations concerned, and the people who represent them, to come to Parliament House on that day and, in the meantime, to send a circular to all Liberal members inviting them to come to a briefing in the facilities of Parliament House, which they would chair and run. As a consequence, we were put in the untenable position of knowing that they were quite out of order to expect that they could occupy those facilities without the member who had booked the room being present, or otherwise not attend without explaining why.

We did not embarrass them. We went along and listened to what the representatives from those organisations had to say. We thanked them for their trouble and attention to our interests and their concerns about which they wanted us to have some clearer understanding of their position. That was okay in so far as the interaction went, but the underlying principle of allowing any member to ignore the cost, security and privileges implications for other members to book and make use of these facilities for any other reason is unacceptable.

That is why I have put this motion on the Notice Paper. I believe that all honourable members, whether they support it when the vote comes—and they jolly well should support it—will know that it is unacceptable for them to do what the Minister for Environment and Planning has done. The way in which she has behaved, despite the fact that attempts were made to explain to her that the reasons for which she used the rooms and the way in which she deceived people who work here about the purposes for which the rooms were to be used, is not on.

The Hon. M.D. RANN secured the adjournment of the debate.

ROAD TRANSPORT CHARGES

Adjourned debate on motion of Mr Blacker:

That this House opposes the proposals of the Inter-State Commission relating to road transport charges and condemns them as being discriminatory against South Australia and in particular its country industries and residents and calls on the Minister of Transport to make the strongest possible representation to the Federal Government to ensure that South Australia is not disadvantaged.

(Continued from 11 October. Page 962.)

Mr HOLLOWAY (Mitchell): I have no difficulty in supporting this motion. Indeed, events have already overtaken it to a large extent.

The member for Flinders outlined some of the problems that this State would face if the Interstate Commission's original proposals for heavy vehicles were to be implemented. The Government is well aware of the problems that would result in South Australia from the Interstate Commission's proposals, and the Minister of Transport has forcefully put those views, as the motion requires, in this House and to the recent Commonwealth-State Transport Minister's meeting. I will have more to say about that ATAC meeting later.

First, I should like to clarify some of the remarks made by the member for Flinders when he moved the motion on 6 September. The member for Flinders provided a number of tables relating to the effect that the ISC proposals would have on South Australia and, in particular, in country areas. Much of the data contained in those tables was prepared

by the Office of Transport Policy and Planning, based on data supplied by the industry and particularly by the two transport operators referred to by the member for Flinders. This enabled both the department and industry to have a better idea of the potential impact of the ISC changes.

It should be pointed out, however, that following the release of the ISC report, the former President of the ISC, Ted Butcher, was given the task of considering public submissions in response to the report. The final Butcher report, which was publicly released on 23 August, made a number of consessions in relation to road train and livestock vehicles. A specific reduced mass distance charge schedule for this group of vehicles, in conjunction with a general allowance for excessive sales tax, resulted in a substantial reduction in some of the originally proposed ISC charges as listed in the speech of the member for Flinders.

For example, the original ISC report would have seen increased charges for a triple trailer road train to about $56 000 per annum. However, the final Butcher report recommends increases of about $22 000 per annum. In addition, the final Butcher report recommended charge rebates for private road use. Of course, even with the reductions, the proposals are not acceptable to South Australia and I just wish to correct the record on this matter. The member for Flinders also suggested that all charges for articulated trucks will be levied on the trailer. The ISC proposed a mass distance charge levied solely on the trailer in the case of an articulated vehicle. However, the prime mover would incur the fuel charges.

In his response at the 7 September ATAC meeting, the Minister of Transport strongly stated South Australia's opposition to the ISC recommendations, arguing the need to examine other approaches. The ISC proposals provide little of direct benefit to South Australia. They could result in significant increases in transport costs, placing pressure on local industry to relocate and discourage new industries from locating here. Many road transport operators would be adversely affected, as would many rural centres. The key concerns the Government has with the ISC proposals are, first, significant increases in road transport costs that would adversely impact on road transport operators and industry (there is also some scepticism concerning the level of ISC proposed charges); secondly, loss of discretion to raise road funds and a much reduced role in the allocation process; thirdly, general shift of road funds to the more densely populated eastern States which could result; and, fourthly, a likely net increase in both administrative and enforcement costs, given the complex nature of the ISC charging proposals.

In short, South Australia could end up paying more and receiving less. Nevertheless, in rejecting the ISC proposals it was made clear that SA did not wish to be seen as attempting to thwart reforms in this area, and would continue to co-operate fully in identifying a new approach to charging for road use and for financing road construction and maintenance.

At ATAC, Ministers agreed that there was a need for reform of road management and road transport regulations and charging arrangements. The Ministers agreed to establish an officials' task force, convened by an independent chairperson, to fully assess the impact of adopting the ISC principles on State and Territory road funding and the scope for further uniformity of vehicle registration and regulations and cost recovery. The task force is required to report to ATAC early next year with detailed proposals. The task force will concentrate on four areas: first, the scope for establishing a nationally consistent driver licensing and vehicle registration scheme, and possible mechanisms for achieving this; secondly, the scope for implementing nationally uniform charging principles which may reflect different road costs; thirdly, the distributional effects of such an initiative on the community; and, fourthly, the net impact on Commonwealth/State/Territory public finances of the ISC recommendations and any mechanisms that might be available for ensuring that individual States and Territories retain some level of certainty in the allocation of road funds. The Minister made clear at ATAC that any proposals developed by the ATAC task force would need to demonstrate a positive net benefit to South Australia before this State would agree to adopt a national system.

At the recent Premiers Conference where national road transport regulations were discussed, I understand that the Premier also argued that proposals along the line of the ISC proposals be further considered and, indeed, the Heads of Government communique from that conference recommended that ATAC further consider the principles for distribution of road funds between the States and Territories. In summary, the Government is well aware of the problems that adoption of the ISC proposals would have on South Australia. While the Government accepts that there is a need for reform of road management and charging arrangements, the Government has made it clear that the original ISC proposals are not the answer. South Australia will cooperate in the identification of a new approach to charging and financing roads, but this State will agree to adopt a national system of proposals developed by ATAC only if they benefit South Australia. In short, I believe that the Minister of Transport has fulfilled the tasks set out in the motion and has adequately presented the State's view on the ISC proposals, and I support the motion.

Mr BLACKER (Flinders): I thank the honourable member for his response on behalf of the Government. In his last few words, he has summed up what I was aiming to achieve, that is, to obtain a statement from the Government as to exactly where it stood on that matter. I am pleased with the response that I have heard, because the initial reaction to the proposed Inter-State Commission report was that it would be a disaster for the road transport industry, particularly for country people.

I concur in the efforts of the Minister at the ATAC meeting, as I understand that the Minister went in to bat for South Australia very vigorously. I applaud his efforts. I fully appreciate that this is not the end of the problem, because the whole structure of financing, registration and truck fuel, the cost of carriageways and so forth, has to be addressed. It must be addressed in a better way than that proposed by the Inter-State Commission. I thank the honourable member for his response on behalf of the Government, and trust that the House will support the motion.

Motion carried.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 18 October. Page 1183.)

Mr FERGUSON (Henley Beach): In introducing his Bill, the honourable member has referred to his own ignorance about what he states as the central unavoidable issue in the abortion debate and, in doing so, has acknowledged the hypocrisy of his role. It is, indeed, a matter for comment that the honourable member proposes that, once again, this

predominantly male assembly should address this vital women's health issue and, this time, the question of how abortion services should be organised.

The honourable member claims that his Bill is about the moral issue of abortion, and that it is therefore a conscience vote. I am unable to detect the moral import of either the definition of 'hospital' or the procedures for approval of regulations. I go further and argue that the Act of 1969 determined not the moral status of abortion but rather its legal status.

It is not necessary for members to take a particular view on the morality of abortion in order to take the view that its moral status is a matter for individual consciences. I refer to the individual consciences of all South Australians, not just the 47 members of this House. The Parliament acknowledged 20 years ago that women themselves had consciences to exercise in this issue.

While setting certain parameters of acceptable practice, it left the individual decisions largely to women and their medical advisers. What, then, is the honourable member attempting to achieve by the introduction of this Bill? We already know that this is a diverse issue about which the community will probably never agree. There is a range of beliefs, strongly and legitimately held by people of goodwill and moral integrity. This, in itself, is not a problem. The problem lies in disagreement as to the extent to which some consciences should override others. We know from opinion polls and from social surveys that the majority of Australians believe that safe abortion services should be available to those who need them, but we also know that it is a subject which makes many people very uncomfortable.

Certainly, the Bill succeeds in reopening painful conflict in the community. What else will it achieve? The member for Hayward claims to be concerned that the facilities at a pregnancy advisory centre will not be adequate to the level of care required for the procedure of pregnancy termination, including readily available emergency treatment. This is a most important question; one which has occupied the minds of the experts who contributed to the further report and of the several specialists, doctors, nurses, social workers and hospital administrators who are currently involved in very careful and detailed planning for the proposed centre.

The centre will have more than adequate facilities for emergency care, including equipment for blood transfusions and resuscitation, facilities comparable to those found in many country hospitals which currently undertake terminations and other more major surgery.

Mr Brindal: What's your problem, then?

Mr FERGUSON: I consider this debate to be of such importance that I will not engage in interjections with members opposite. The trend in termination of pregnancy, as in many other surgical procedures, is towards day surgery. Already, one out of four surgical operations in South Australia is performed on this basis, including the overwhelming majority of termination procedures. Day surgery is the mainstream of modern medicine, and the pregnancy advisory centre will be equipped as a day surgery unit. I am reliably informed that termination of pregnancy is a procedure which involves no surgical incision and is associated with very low risk of serious complications. It is, in fact, so safe that the vast majority of terminations performed in other States of Australia are performed in such day surgery units and their safety record compares favourably with those achieved in South Australia.

The other aspect of the safety question relates to the timing of the complications. The majority of complications occur after, not during, the procedure. In many cases the patient will already be at home and the original location of the procedure is irrelevant. What matters is after-care, which will be comprehensibly provided by the pregnancy advisory centre. Well coordinated retrieval arrangements will be made with the Queen Elizabeth Hospital for the very small number of complications that require the facilities of a major hospital.

Statistically, the expected incidence of such retrievals is less than 0.3 per cent or fewer than six per year but, with skilled staff and the ideal clinical setup that will be provided at Mareeba, such retrievals will be even rarer than that. The Queen Elizabeth Hospital is approximately five minutes drive from Mareeba, and that is rather less than the time that it takes to get from most small private hospitals in Adelaide to the nearest teaching hospital and considerably less than the time taken to travel from any country hospital.

Is the honourable member suggesting that a double standard of safety should apply as between terminations and all other surgery? Why do not country people of South Australia and those who pay their private insurance require similar standards? Are they less worthy of the honourable member's concern, or is it simply that he has no political games to play as far as they are concerned?

If the honourable member were so concerned for the safety of abortion patients, I remind him that abortion is safer the earlier it is performed. Delays of two or three weeks for public patients in our public hospitals system result in terminations being performed later than would otherwise be necessary. The pregnancy advisory centre will be able to respond flexibly to fluctuations in demand and will reduce waiting times, thus improving the clinical outcomes.

The Government's intention in establishing a pregnancy advisory centre is to improve standards and availability of abortion services. They are clinical and professional issues, not moral—nor should they be political. It was widespread concern about the existing hospital services that led to the establishment of the working party to examine the adequacy of existing services for the termination of pregnancy in South Australia. Its report, known as the Furler report, is unequivocal in finding that qualitative change is required in the organisation of abortion services in South Australia, and that they should not continue to provide simply one aspect of the range of services provided by hospital departments of obstetrics and gynaecology.

The recommendations relating to pregnancy advisory centres call for: administrative and physical separation from hospital departments of obstetrics and gynaecology; staff recruited specifically for work in this area of health care; a physical discrete unit with a layout and style which is informal and attractive to client groups, particularly young people; a separate management committee to be chaired by a hospital board member and to include representation of various related agencies, such as FPA; and a separate budget.

The rationale of this approach is essentially twofold. The first consideration is the basic principle in medical care that excellence in service delivery is achieved through the bringing together of dedicated and skilled staff in a purpose-designed unit. The PAC will achieve this, and it will provide the ongoing clinical leadership that is needed in this State. The second consideration is the principle that a termination service should be provided in a context of sympathetic and skilled care for the woman and her partner, and that their ability to exercise control in this aspect of their lives is enhanced.

Contrary to what some members might believe, the effectiveness of follow-up contraception is weakened through punitive attitudes on the part of health care providers and enhanced when the patients concerned are assisted in seeing

that they have the ability and the right to control their fertility. The Furler report called for four such centres, each to be established under the umbrella of a major metropolitan hospital. The Government has no intention of meeting the requirement of this recommendation, neither does it intend to establish a second pregnancy advisory centre on the site of the Queen Victoria Hospital.

Members interjecting:

The SPEAKER: Order!

Mr FERGUSON: The Government's objective is to provide safe and accessible service in accordance with medical standards and South Australian law. That objective must be met. The Bill will not protect patients. Will it, as the honourable member asserts, protect the integrity of the 1969 Act or, indeed, the right of this House to legislate? The intention of the 1969 Act was to ensure that abortions are provided within certain parameters and that they are provided safely in accordance with medical standards. Does the honourable member really believe that the Mareeba clinic would contravene the legislation and that it would be necessary for him to seek to change it?

Mr Brindal: Yes, I do.

Mr FERGUSON: After all, the Health Commission is not above the criminal law. The member for Hayward claims that his Bill will preserve the intentions of Parliament, regardless of advantages in 'the mainstream of medicine'. But what will it really achieve? He defined hospital in a way designed to exclude Mareeba from prescription as a hospital in its own right, and has added the requirement that, any area of the hospital used mainly for terminations, whether the area is physically separated from the main hospital building or not, be separately prescribed. Perhaps he believes that Mareeba will not meet his criteria of inpatient and emergency facilities.

I have already referred to the question of emergency facilities. Mareeba will also, in fact, have facilities for 'the care of patients on a live-in basis'. Such care would not routinely be provided, but the old Mareeba hospital will certainly make such provisions. This clumsy and narrow definition of 'hospital' will not necessarily exclude Mareeba, neither will it add to the sum of human knowledge in health service planning and management. But there is another hurdle.

The prescription as an 'abortion clinic', the main surgical procedure to be performed, is indeed termination of pregnancy, and the centre would thus need to be prescribed as an abortion clinic. The taxpayers of this State would, therefore, have at least one more opportunity to fund the spectacle of yet another abortion debate and the statute books would be blotted with tortuous, nonsensical pieces of legislation, serving what purpose? The substantial parameters of legality, the grounds for terminating the upper gestational limits, etc., are unchanged. The number of abortions undergone in South Australia will not have been reduced by one iota. The net effect of this Bill, if enacted, would be that an additional hurdle is placed in the way of serious attempts to improve the quality and coordination of health services in this difficult and contested area.

I note in passing that the honourable member has misunderstood the procedure for licensing beds. I am happy to assist him in this matter, and advise that licensing applies to private beds. The Government does not charge itself licenses transfer fees when it opens public hospitals. The Bill is a spectacular failure. It deals with the organisation and standards of a particular area of health care, but it would in fact prevent improvements in standard of care. Why is the Bill so flawed? It was the member for Hayward who introduced reference to Machiavelli in this debate.

What Machiavellian purpose is afoot here? It would seem that the honourable member has tripped himself up in trying to achieve one thing while appearing to pursue another. Why is the honourable member so willing to compromise standards of care for a significant proportion of South Australians? The Bill is a thinly disguised attempt to embarrass the Government through putting the pressure on Government members whose personal moral views are not in accordance with the provisions of the Act. Rather than preserving the intention of the Act, the Bill seeks to subvert the will of Parliament. Or is the member for Hayward suggesting that the original legislators intended to compromise health care?

I suggest that the honourable member's interpretation of the intentions of Parliament are about as reliable as is his reading of the *Rubaiyat.* It was not Omar Khayyam who said, 'I shall pass this way but once; if there be any good that I can do, let me do it now for I shall not pass this way again.' The quote is attributed to various authors, including Etienne der Grellet, an eighteenth century French author. However, in any case, I doubt that the member for Hayward is up to any good at all and he may come to regret that he passed along this particular path even once.

Mr BECKER: On a point of order, Mr Speaker, do I take it that now that the member for Henley Beach has just read his speech—

The SPEAKER: Order! What is the point of order?

Mr BECKER: The point of order is: is it or is it not permissible to read speeches in their entirety in this House?

The SPEAKER: Standing Orders preclude the reading of speeches in the House. It is not in the realm of the Chair, from here, to see whether the member is reading a speech or using notes. The use of notes is a very widespread custom in this House. 'Copious notes' is the term usually put forward. Such a point of order made at the end of a speech is really of no use at all. If there is a point of order it ought to be taken at the time the alleged breach of Standing Orders occurs.

Dr ARMITAGE secured the adjournment of the debate.

HALLETT COVE SCHOOL

Adjourned debate on motion of Mr Matthew:

That this House calls on the Government, as a matter of priority, to make provision for education to year 12 at the Hallett Cove school.

(Continued from 25 October. Page 1482)

Mr FERGUSON (Henley Beach): I move:

To substitute the words 'as a matter of priority, to make provision for' with 'to consider the provision of', and to add to the end of the motion 'according to the priorities of the area and the Education Department'.

The motion would then read as follows:

That this House calls on the Government to consider the provision of education to year 12 at the Hallett Cove school according to the priorities of the area and the Education Department.

The member for Bright once again has called on the Government to spend millions of dollars of taxpayers money at a time when everyone else is calling for restraint.

The Hon. T.H. Hemmings: It is always the same.

Mr FERGUSON: Yes, always the same.

The SPEAKER: Order!

Mr FERGUSON: I estimate that the member for Bright is demanding that the Government immediately commits around $5.5 million of public funds. Where do I get the

sum of $5.5 million? A quick way of getting this estimate is by comparing the proposal with similar projects in other areas. The capital works required would be about the same size and scope as for a brand new primary school, which nowadays can cost up to $5 million depending on specification. Then there are the additional recurrent costs which, compared with the year 11 and 12 elements of existing R-12 schools, would be around $600 000 per annum. Just those two elements add up to $5.6 million.

I accept that this is a very rough and ready calculation, but it does give some indication of the size of the expenditure that the member for Bright is demanding, and demanding that it happens now. So much for the planned provision of education in South Australia. So much for responsible economic management and the expenditure of taxpayers' money, and so much for budgetary constraint. The member for Bright has it both ways. On the one hand he supports the call for less Government spending and, on the other hand, he insists that huge amounts of money be spent in his electorate forthwith, irrespective of priorities or needs.

An honourable member: You might even say that he is hypocritical.

Mr FERGUSON: I would not like to say. I am reminded of a similar call from his colleague the member for Hayward back in March, who demanded in this House that the Government immediately undertake the development of Brighton High School, Stage 3. I recall that the member for Napier costed that proposal at around $2.25 million, an outrageous sum to ask the Government to commit immediately without further ado and without going through the normal planning and approval procedures. However, it is a sum which appears quite modest in comparison with the member for Bright's demand for $5.67 million. I am indebted to the member for Napier for the wording of the last part of my amendment, as follows:

> According to the priorities of the area and the Education Department.

I lifted those words from his amendment to the member for Hayward's motion about Brighton High School.

My amendment puts the member for Bright's demands into a proper context of needs and priorities. It would indeed be marvellous if we could meet everybody's requests for spending, but we live in a world of finite resources and competing needs. It is not realistic for the member for Bright to demand that a major project go ahead in his electorate, irrespective of the needs of other students and other areas. Not only is it unrealistic it is also irresponsible to demand that this project go ahead immediately, which implies that the usual planning and approval processes of the Education Department, SACON and Parliament should be bypassed.

Members will note that I am not saying that extending the school to include years 11 and 12 is necessarily a bad idea, nor that it should not happen. My amendment asks that such a proposal be looked at and assessed in a wider context, not looked at as an isolated issue. We must bear in mind that our major priority is to provide senior studens in the Hallett Cove area continued access to quality education.

It may turn out that such an extension as proposed in the motion is a good option, but there may be better options. What we must not do is rush hastily into a solution which in the long term might not be the most effective. This is why the Director of Education in the southern area established a reference group in May this year to address this and related issues.

I understand that members of the reference group include the principals and chairpersons of Hallett Cove School, Hallett Cove South Primary School and Sheidow Park Primary School, and a representative of the Karrara Progress Association. I am advised that the terms of reference for that group are: to provide a forum for discussion of educational issues as they relate to Hallett Cove; to provide a range of creative and alternative visions for the provision of education at Hallett Cove; to provide the Director of the Southern Area with advice regarding the provision of education facilities R-12 at Hallett Cove; and to act as a communication link presenting the views of the wider community to the Director of the Southern Area and in turn relaying and clarifying Education Department policy as it relates to the Hallett Cove community. The member for Bright's motion seeks to pre-empt the task of the reference group.

I understand that the reference group has focused on a number of major issues, including the provision of years 11 and 12 at Hallett Cove school, the proposed configuration of the new primary facility to be built at Karrara Estate, the increase in junior primary enrolments at Sheidow Park, and the need for a new primary facility at Woodend. This gives some indication that the issue of years 11 and 12 at Hallett Cove school is not as clear cut as the member for Bright likes to pretend. For example, the member for Bright made made much of enrolment figures to support his argument for years 11 and 12 and, indeed, I understand that Hallett Cove school is experiencing large enrolments in the junior primary section.

But the question is, will these enrolements be sustained, and will they flow on through to the secondary years? To some extent, this will depend on what might happen when the new facility at Karrara Estate opens. That will provide some relief on enrolments at Hallett Cove school, but how much relief will depend on several factors, such as how many parents enrol new students at reception and how many will transfer students currently at Hallett Cove to Karrara. A reduction in enrolments in the junior primary at Hallett Cove school, and the flow-on effect in subsequent years, could possibly free up facilities which might then be available for use by senior secondary students without the need for major building. Until such trends are accurately known, it would be foolish to spend large amounts of money on extensions which might prove to be unnecessary. Such a reduction in enrolments could just as easily mean that, by the time these had flowed through to the senior secondary level, there might not be a large enough student population to give a sufficiently broad curriculum offering in years 11 and 12.

I understand that the reference group and the Karrara Progress Association are both pursuing the issue of projected enrolments, and officers of the Southern Area Education Office have recently undertaken a major demographic review of students in the area to collect information about long-term enrolment patterns in the area. Decisions about Hallett Cove school's curriculum cannot be taken in isolation. Hallett Cove school operates as a member school of the South West Corner Project. A review of the curriculum at Hallett Cove school must be done in relation to other schools in that project, and in relation to future planning for the provision of education across the district. My amendment seeks to put the member for Bright's request into the wider context of the planned provision of education in that region, acknowledges the appropriate planning procedures and processes, both educational and administrative, and recognises that statewide priorities must be set for the expenditure of our scarce resources. I commend the amendment to the House.

Mr OSWALD (Morphett): I remind the House of the member for Bright's original motion, which states:

That this House calls on the Government . . . to make provision for education to year 12 at the Hallett Cove school.

That is all it does. It draws to the attention of the House the need to provide education up to year 12 at the Hallett Cove school. We just had this outrageous presentation to the House by the member for Henley Beach who criticised the honourable member for doing exactly what he has every right to do in this House: to bring to the attention of this House a need in his district. Then the member for Henley Beach had the audacity to criticise the member for Bright by attempting to come up with some vague costing about the project.

The insinuation was quite clear. It was that the honourable member should not have raised it. The honourable member had every right to raise this matter; that is why he is in this House and, if he is not in this House to raise subjects on behalf of his constituency, goodness knows why other members do that very thing. We are in this place to bring matters to the attention of the Government. The honourable member representing the Government on this occasion is right out of kilter—right out of school—if he is using this place to denigrate other members who do exactly what they are paid to do. It is well documented in this place that from time to time Government members bring the needs of their electorate to the attention of the Parliament. I will not do this at the moment, but later I will go through *Hansard* and dig out all such requests made by Labor members in this place. Every one is perfectly justified, because that is what members are here for.

I am sick and tired of Government members hopping to their feet and trying to make political capital because honourable members do their job and bring to the attention of this House a need of their electorate. I would doubt very much whether the member for Henley Beach has even been to Hallett Cove recently and seen the development that has taken place. The Hallett Cove area was rolling plains and wheat paddocks a few years ago but it is now covered with houses, and families are moving into the area. The honourable member is absolutely right and, without any question, he has every right to come to this place. It is about time the members on the Government side stopped this absurd charade that every time somebody on this side suggests something for their electorate it is wrong but, when such a request comes from the Government side, it is right. I seek leave to continue my remarks later.

Leave granted.

SMOKING BAN

Adjourned debate on motion of Mr M.J. Evans:

That this House—

(1) endorses the decision of the Joint Parliamentary Service Committee to prohibit smoking in certain areas under its jurisdiction and calls on all members to abide by the terms and spirit of the decision;

(2) declares its support for the long-term introduction of a smoke-free environment throughout Parliament House; and

(3) prohibit smoking in and about the lobbies, corridors and other common areas of Parliament, under its jurisdiction, and that the foregoing, resolution be transmitted to the Legislative Council seeking its concurrence to paragraphs (1) and (2) and the adoption of paragraph (3) in relation to the respective areas under the jurisdiction of the Legislative Council,

which Mr McKee has moved to amend by adding the words 'except within the members refreshment room', at the end of paragraphs (1), (2) and (3).

(Continued from 25 October. Page 1427.)

Mr McKEE (Gilles): I do not require any reminder from the member for Hartley about what needs to take place. It is not that I am a born-again non-smoker, but I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Mr M.J. EVANS: (Elizabeth) I thank those members on both sides of the House who have contributed to this important debate. While it may be seen as a domestic matter in some respects, I think it extends beyond that limited franchise. Clearly, this is an occupational health issue, which has import beyond this Parliament and, of course, that is recognised in many private businesses and extensively in the Public Services of South Australia and the Commonwealth. It is important that this Parliament provide a safe working environment not only for members of this place but also for the staff who work here and who are compelled to share these facilities with us by virtue of their employment. So, I would ask members to see the matter in the broader context than its simple domestic and immediate implications, and I ask members to support the motion on those grounds.

Motion carried.

MOUNT LOFTY RANGES SUPPLEMENTARY DEVELOPMENT PLAN

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the Mount Lofty Ranges Supplementary Development Plan, gazetted for interim operation on 14 September 1990, should be withdrawn.

(Continued from 25 October, Page 1432).

The Hon. E.R. GOLDSWORTHY (Kavel): I think I made my position abundantly clear last week. I made the point that, if the Government seeks to confiscate people's assets, it can not do that in cold blood; it must devise some sort of scheme for compensating those people.

Mr Brindal interjecting:

The Hon. E.R. GOLDSWORTHY: That is my firm conviction.

The SPEAKER: Order! The member for Hayward is out of order.

The Hon. E.R. GOLDSWORTHY: He is actually helping, Mr Speaker.

The Hon. T.H. Hemmings interjecting:

The SPEAKER: Order! The member for Napier is out of order.

The Hon. E.R. GOLDSWORTHY: I remind members opposite that the Government brought in widespread controls and prohibitions on vegetation clearance with the stroke of a pen.

Mr Blacker: Now they are doing it with sea grasses.

The Hon. E.R. GOLDSWORTHY: Yes. Labor Governments are perfectly happy to confiscate people's assets, giving credence to their notion that it is in the interests of the State, whatever that means. As the Labor Government perceives it, that means that it is in the interests of some people who live in the State. We do not represent the State; we represent people, and all those people have rights. If those people have valuable property or money in the bank, no Government has the right to confiscate those assets. It is not surprising that it took us more than two years to convince the Government that it could not suddenly take away people's right to clear vegetation to improve the value of their property because it downgraded the value of the property. In many instances, properties had been bought with their economic future in mind, and part of that economic future was the ability to clear some of the land and farm it.

It seems to me that these new controls represent an even clearer case of confiscation of assets, which, at the stroke of a pen, the Minister has inflicted on people living in that part of the State from Victor Harbor to the head of the Barossa Valley at Truro. As I pointed out, I am particularly concerned about those people who reside in my electorate and their neighbours who live in the Adelaide Hills. People find themselves in a whole range of circumstances. Young couples have bought land in the Hills because they want to live there, they have taken out a mortgage on the land and they suddenly find that they cannot build on it. The land is virtually valueless. They cannot sell it and they have a mortgage on it. The Government has literally confiscated their property.

Some people have subdivided their land and hold several titles. I know of people who hold their assets in that way as their superannuation. They hold the land with a view to cashing in on it when they need the money when they can no longer work. The ability to sell that land has been taken from them because no-one will buy a small block of land if he cannot put a dwelling on it. The Government has confiscated their assets. Rural producers who want to set up the next generation on the land and build a house cannot do so because they are not allowed to do so. It is a clearer case than the vegetation clearance regulations of a Government seeking to confiscate assets and cause a great deal of hardship to a large number of my constituents and people in neighbouring electorates.

Mr Brindal: Victimisation.

The Hon. E R GOLDSWORTHY: I guess you could call it that. While I am in this place, I will never accept the principle that we can enhance the public good, or the general good or the commonweal by discriminating against and disadvantaging a section of our community. I will never accept that hypothesis; yet the Labor Party does. If it is for the common good, the Labor Party will trample on minorities, as it seeks to do in this case. I will never accept that philosophy. People have rights. If they have money tied up in land and they are able to dispose of that land to their advantage, they ought to be allowed to do so. If suddenly their ability to do that is taken away, the Government is robbing them just as surely as if people have assets in the bank and the Government decides to confiscate them, which even this Government would not do.

I have made my position abundantly clear. I will fight these regulations tooth and nail. I await with bated breath the new set of regulations. I guess that the Minister has received many phone calls pointing out the hardship to many of my constituents and others. As I understand it, the department has been deluged with inquiries and complaints. The Minister has announced that she intends to rethink this position, as well she should. Therefore, we await the new set of rules, which I understand are to appear within a week or so. If they still continue to confiscate assets, as the present development plan does, I will fight them tooth and nail.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

ECONOMY

Adjourned debate on motion of Mr Meier:

That this House congratulates Senator Walsh for his remarks in stating that the Prime Minister 'needs a spine transplant' and congratulates Senator Button for predicting the inevitability of hard times ahead for Australia and no improvement in living standards and condemns both the Federal and State Governments for the way they have handled the economy during the past eight years and in particular for the way they have treated the agricultural and rural industry in general.

(Continued for 25 October. Page 1433.)

Mr MEIER (Goyder): I have made a few comments about this motion on the past two occasions on which I have had the opportunity to speak to it. I think that the motion has become more and more relevant as the weeks have gone by and we have seen how the Federal Government is simply going from crisis to crisis, and this State Government does not know what it is doing, particularly in relation to the agricultural and rural industries in general to which my motion refers.

I will highlight again that Senator Walsh pointed out that the Prime Minister 'needs a spine transplant'. How correct he has been. In fact, this week we heard Prime Minister Hawke make the statement that there is nothing the Federal Government can do for the farmers of this country. What a complete abrogation of responsibility by the prime person in this land. He has sold down the drain the one group which provides almost half—in this State at least and a large percentage in Australia—of the nation's economy. He is not interested in assisting them or worrying about their welfare. The writing will be on the wall and the Government will be thrown out of office hook, line and sinker.

Senator Button, of course, supported Senator Walsh's remarks, identifying some months ago that the economy was in a downturn and that it had to be recognised. Hawke and Keating have not acknowledged that. Our own Minister of Agriculture refuses to acknowledge that there is a crisis in South Australia. He says that there is a downturn, but he does not say that it is a crisis.

The Hon. Peter Duncan also pointed out that things are going bad. I highlighted some of his points when last I spoke. We saw what pressure Paul Keating put on him when he made the statement in September that the National Australia Savings Bank, to all intents and purposes, was insolvent in 1986. The second most powerful man in this country is prepared to knock one of the key banks for six; he could not care less. We know the reaction of Mr Nobby Clark; he came out and put Keating in his place. To the Treasurer's credit, he at least admitted that he had made a serious mistake and conceded that he was wrong. But the damage was done.

The confidence of people in the banks of this country has taken a nosedive, thanks to the nation's Treasurer. It is absolutely despicable. Many comments have been made indicating not only the intemperateness, the inaccuracy and the irresponsibility of the Treasurer's remarks, but also that he has now clearly shown that he has no real affiliation with the business sector and no understanding how it operates, and that he has lost complete control of this nation's economy.

Then, as if things had not got onto a steady course, we find in today's paper that Mr Dawkins, the Federal Minister for Employment, Education and Training, indicating that things are on the wrong track in Australia. Here is comment from another Minister. Not only is the Opposition highlighting the situation but also Government Ministers are doing it week after week, month after month, yet the Federal and State Governments refuse to acknowledge that anything is wrong.

Mr Oswald: And former Minister Clyde Cameron, too.

Mr MEIER: Yes, former Minister Cameron. What words did he use?

The Hon. Jennifer Cashmore: He said it helped to ruin the country.

Mr MEIER: Yes. I listened to Clyde Cameron on 5AN the other morning. He said he realised that he had helped to ruin the country. Members will recall how the Opposition highlighted the problem many years ago. We knew it would not occur overnight—it has taken many years to get to this stage. Yesterday I asked the Premier in this House whether he was going to visit any rural areas and, if so, when. The Premier indicated that it could be in three or four weeks. It should have been two months ago at the very least.

In which rural areas will the Premier visit people? What crisis area will he visit? He will acknowledge that he has to go to the South-East, where the crisis was precipitated; the Riverland, which is now feeling the real impact; and the West Coast, which has been screaming for a long time. I do not know whether the Premier would be game to go back there after his visit a couple of years ago, when he visited for a day or a day and a half, and left the area after saying, 'Leave it to me.' However, nothing happened after that. There are new areas in crisis each day.

Certainly, I will be waiting with anticipation to see just where the Premier will visit, or will it simply be a one-day wonder trip to somewhere with the Premier not offering any solutions and not being able to do anything for the rural sector? Much has been said about the crisis that we are in. It is fully acknowledged that the crisis will get worse before it gets better, and the very least that this Government can do is show some understanding and at the least restore the primary producers concession registration rates.

Yesterday the Premier said that his Government would not even do that: nothing is being done. It is a tragedy. The rural sector is hurting and the metropolitan sector is hurting, just as small business is hurting. Unfortunately, Australia's economy is going down the drain at a faster rate of knots than it should be yet, if some action was taken, we could be salvaging so much and getting the economy back on the proper track.

The Hon. T.H. HEMMINGS (Napier): Obviously, I do not support the motion. One aspect of the contribution by the member for Goyder is a cause for real disappointment. I have much time and respect for the member for Goyder, who has picked up his responsibilities in agriculture with a fair degree of diligence. He has earned much respect in the rural community and in his own electorate, because he is my local member. However, the member for Goyder, as the shadow Minister of Agriculture, says that he is concerned about some of the problems that he highlighted so well last night in debate in this House. I heard him on 5AN this morning speaking with conviction and a fair degree of intelligence, putting his case and that of his Party to the listeners very well, especially those who live in the metropolitan area. However, I am disappointed when the honourable member unfortunately resorts to the kinds of tactics that some of his more ill-advised colleagues have used in the past.

He has done that by getting a collection of statements made by ex-Federal Labor Ministers or Labor identities as living proof of the force of his argument. If I had a dollar for every time I have heard the quote that Senator Walsh made about our Prime Minister needing a spine transplant, I could go to the Treasurer and say, 'Treasurer: there is no need to give me any superannuation,' because I would make a lot more out of it that way.

If I had even 50 cents for every time I have heard of the so-called conflict between our Premier and the Federal member for Makin (the Hon. Peter Duncan), the conflict that supposedly originated when the member for Makin was an incumbent of this House and from statements he supposedly made in the media as a result of being dropped from the Federal Ministry, even you, Sir, could go to the Treasurer and say, 'Cross me off the superannuation list—Hemmings has given me all the money he made out of this.'

The SPEAKER: The member for Napier is not making reflections on the Chair, is he?

The Hon. T.H. HEMMINGS: No, Sir, In fact, I am making sure that you would leave this place a lot richer. It does not become the member for Goyder to resort to the kind of grubby tactics of some of his lesser colleagues. When I say 'lesser', I mean lesser in stature. The honourable member has done well with his shadow portfolio. Some of the comments he has made should be answered, and I look forward to going through his contribution today and when he spoke previously. I will cull all the derogatory remarks he has made about ex-Labor Ministers and Labor identities and, when I get to the final two paragraphs of what he has contributed to this debate, I will make my contribution. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MAMMOGRAPHY SCREENING

Adjourned debate on motion of Mr Blacker:

That this House applauds the State and Federal Government support in principle for a mobile mammography unit for South Australia; however, it calls on the Government to make funds available immediately for the implementation of those services to enable all women of South Australia, particularly in country areas, access to effective mammography screening.

(Continued from 11 October. Page 959.)

Mrs HUTCHISON (Stuart): I have a great deal of pleasure in supporting the motion because, as members well know, I also represent a country electorate. I congratulate the member for Flinders on the concern he has shown in this important area of preventive health for country women. I have known the member for Flinders for quite some time, and he has a genuine interest in this area. I appreciate that, as I am sure do all country women.

Country women generally need and deserve services such as mammography screening, but also need to have services generally in the area of women's health, and currently those are not available. A mobile mammography unit will give them a chance to have a screening. As pointed out by the member for Newland, in a speech on a previous motion, early detection is vital to the successful treatment of breast cancer, so the mobile mammography unit is essential. The member for Flinders said:

> Country people were being precluded from access to these facilities unless they travelled to the metropolitan area at their own cost.

Unfortunately, that is as true in my electorate as in his and, even more unfortunately, women tend not to want to travel unless they see the matter as urgent or essential, and their health suffers because of that. Because there are too many other demands on their time, they are not prepared to take the extra time required to travel to the city in order to make sure that their health is at should be. To have a service available at the source, if you like, in country areas is essential. I am therefore happy to support the motion for the provision in principle of a mobile mammography unit for South Australia, and hope most sincerely that this will be in operation at the earliest opportunity for the benefit of all country women.

I believe that it is envisaged that access to mammography screening for country women will be available in the first

half of 1991. Detailed design work for the construction and operation of the mobile unit is now underway, a consultant having been engaged to specifically assist with the project. I am reliably informed that the mobile unit will have a throughput of approximate 10 000 screenings annually, so it will be of immense benefit to the electorate of the member for Flinders and me.

The major portion of the capital funding for the first mobile unit has been provided by the Commonwealth Government and, at this point, I would like to put on record my congratulations to the Lions Service Clubs in South Australia who have been fundraising for this particular area of women's health. The contributions of Lions Clubs in South Australia in fundraising for health purposes has been known for some time by people in this State and has been a very much valued and valuable contribution. It indicates their dedication to community issues and to community health in particular, and they have a very practical way of showing that interest by their monetary contributions to special services for country people.

The 1990-91 Commonwealth budget announced the phasing in, over a period of five years, of a comprehensive national program for early detection of breast cancer for women aged 40 years and over, including screening, assessment and counselling. As the member for Newland mentioned in his motion, the Commonwealth is providing $64 million over the first three years including $14 million in 1990-91. The Commonwealth budget papers indicated that in 1990-91 the program will be fully funded by the Commonwealth but that, in the subsequent two years, it will be on a cost-share basis with the States. That means that South Australia will need to pick up part of that funding in the second two years of the program.

In conclusion, I would like to say that over the last few years, I have become increasingly aware of the incidence of breast cancer in country women, particularly in my own area of Port Augusta and Port Pirie and, sadly, that has been in a very personal way, in both family members and very close friends. On a number of occasions detection has come too late. Had there been access to mammography screenings, perhaps those women would still be alive but, unfortunately, it was detected too late for anything to be done about it. In other cases there have been mastectomies—a very traumatic experience. I am sure that all women can empathise with that.

An honourable member: And some men.

Mrs HUTCHISON: And, as my colleague points out, some men who have been involved in this with either a partner or close relative.

In other cases, there has been a need for radiotherapy or chemotherapy treatment. A mobile mammography screening unit needs appropriately trained personnel. I am aware that the member for Flinders commented on the importance of having appropriately trained personnel to service those units, and I am sure that that close attention will be paid to providing well trained staff.

All of that will safeguard the health of country women, and that is as it should be and, instead of having to travel long distances to country areas, they can be assured of receiving those services where they live. That has been a great step forward in the area of preventive health in this State and, indeed, nationally. So, I support the motion with a great deal of pleasure.

Mr BLACKER (Flinders): I thank the member for Stuart for her support for the motion. I trust that it has the support of every member of this House. It is, after all, we are speaking in the interests of the women of the whole community. In this case, I am referring more particularly to mobile mammography units travelling to country areas so that the availability of the service can be made readily accessible to every woman who would require such service. I ask the House to support the motion.

Motion carried.

VIDEO MACHINES

Adjourned debate on motion of Mr S.G. Evans:

That the regulations under the Casino Act 1983 relating to video machines, made on 29 March and laid on the table of this House on 3 April 1990, be disallowed.

(Continued from 11 October. Page 960.)

Mr HOLLOWAY (Mitchell): I support the regulations, which permit the introduction of video machines into the casino, and I oppose the motion moved by the member for Davenport. I will begin with a description of the video machines that would be permitted under the regulations and will distinguish them from what are commonly known as poker machines. Video gaming machines merely provide a means of playing electronically those table games such as keno, blackjack and draw poker which are currently played in the casino.

As far as most members of the South Australian community are concerned, a poker machine is the type of machine that has been installed in licensed clubs in New South Wales for the past 30 or so years. Certainly, when the Casino Act was introduced in 1983—and I think this is the pertinent point for the member for Bragg to note—this type of machine is what would have been recognised as a poker machine by most people. The reference to 'poker' in the name for this type of machine merely relates to the fact that cards are commonly displayed on the drum of the machine. In other parts of the world these machines are known as 'fruit' machines for the reason that various types of fruit are commonly used as symbols.

'Poker' or 'fruit' machines are operated by inserting a coin and pulling a handle, which sets into motion a number of drums or reels. The machine pays out if the symbols on these drums match when the reels stop. There is no action required by the player to operate these machines, other than to set the machine in motion. Video machines proposed for the casino differ in one important respect from this type of poker machine: they require a deliberate act or choice from the player.

In the draw poker game, for example, five randomly selected cards are displayed on the video screen when the machine is operated. The player is then obliged to choose whether to hold some or all of these cards before the redraw takes place. The odds which determine the outcome of the player's choice are identical to those for the poker game played at the tables.

Similarly, in the keno game it is necessary for the player to select various numbers and, indeed, the number of numbers, in the same way that the game is currently played at the casino. In the blackjack video game the player must choose whether to draw additional cards or hold the electronically dealt cards. Again, the same choices are involved when the game is played at the tables.

Mr Ingerson: Are the odds the same?

Mr HOLLOWAY: Yes, the odds are the same. The video games differ from their corresponding table games in only these respects: first, the cards are dealt electronically by the machine rather than by humans; secondly, the level of payout is greater from the video machines, which pay on average 90 per cent of the turnover compared with 75 per

cent on the tables; and, thirdly, smaller amounts are gambled on video machines—20c or $1 units, rather than a minimum $2 unit at the tables.

Currently the Casino Act 1983 contains a very broad definition of 'poker machine' and, therefore, a very wide range of electronic gambling devices are excluded from the casino. Under the Casino Act 1983 a poker machine is defined to be:

> ... a device designed or adapted for the purpose of gambling, the operation of which depends on the insertion of a coin or other token.

Because the definition of 'poker machine' in the Casino Act 1983 is so broad, it encompasses these video machines as well as the more common type of poker machines, to which I referred earlier.

Mr S.G. Evans: Can you play draw poker on them?

Mr HOLLOWAY: Yes, I explained that earlier. However, the Casino Act acknowledges the breadth of the definition of poker machines and provides that certain types of machines can be excluded by regulation from the ambit of the definition. The regulation under consideration does just that. It also confines the introduction of video machines to the casino. There is no extension of these devices to other premises. Indeed, proposals for the introduction of machines on Commonwealth property have been the subject of strong representations from the Premier to the Prime Minister against such moves. There is a further constraint on the introduction of video machines that I wish to point out. The Casino Act 1983 defines an 'authorised game' as follows:

> ... a game of chance, not being a game involving the use of a poker machine, authorised under the terms and conditions of a licence to be played in a licensed casino.

Because the casino licence does not currently specify games involving the use of video machines as authorised to be played in the casino, a further requirement is that the Casino Supervisory Authority hold an inquiry into the proposal to vary the terms and conditions of the licence by a notice published in the *Government Gazette*, if this course is recommended. The regulatory change is then one which is subject to extensive consideration before it becomes effective.

An honourable member interjecting:

Mr HOLLOWAY: This matter has to be resolved first. In addition, video gaming machines will be subject to the same regulatory and surveillance controls as all the other gambling activities in the casino. These controls have proved to be very successful at maintaining a trouble free gambling environment for those who wish to use it.

It should be stressed that the introduction of video machines does not represent an unbridled introduction of these electronic gambling devices. The proposal applies only to the casino. This ensures the resultant gambling activity is well organised and controlled. All other casinos in Australia have video machines and their absence from the Adelaide Casino is increasingly being remarked upon unfavourably by visitors.

If the Adelaide Casino is to preserve its reputation as a leader in the gambling industry and maintain its competitiveness, it must be allowed sufficient flexibility to keep pace with the demand for particular kinds of gambling activity. The Adelaide Casino is not only used by local South Australians but is an attraction which draws interstate and overseas visitors. It is apparent from the experience interstate that there is solid demand for the gambling opportunities provided by video gaming machines. Their introduction into the casino, which is the purpose of the regulation, provides a sensible and well controlled means of satisfying this demand for those people who choose to use these machines to play simulations of the games which are currently only played on the tables at the casino.

I turn now to address some of the allegations made by the member for Davenport in his speech on this disallowance motion. First, the member for Davenport claimed that video machines are poker machines, but I believe I have adequately covered the difference between video and poker machines. The essential difference is the need for a choice on the part of the video game operator. That is required for any other game on the tables at the casino. The second allegation made by the member for Davenport was to the effect that using these machines represents impulse gambling; people become 'locked in' and they do not leave them. I would have thought that all forms of gambling can be addictive for some people and I do not believe that video machines would be any more or less addictive than any other forms of gambling.

Members interjecting:

Mr HOLLOWAY: The point is, as I have said, they are no more or less addictive than others.

Members interjecting:

The SPEAKER: Order!

Mr HOLLOWAY: I will come in a moment to the point to which the member for Murray-Mallee is referring. The third point that the member for Davenport claimed was that money generated goes out of the State. This is a matter that I checked with the Adelaide Casino and, in fact, 98 per cent of its revenue is retained in Australia and principally in South Australia: 39 per cent in salaries and wages; 27 per cent in taxes and fees (that is, gaming, payroll and liquor licence fees); 18 per cent to the suppliers of goods and services to the casino; the 2 per cent that goes out of Australia is the Genting Consultancy fees; and the remaining 14 per cent goes to shareholders (the majority of whom are located in South Australia), and also for financing charges, capital costs, maintenance of the facility and the remainder as profit.

This clearly indicates that most of the money generated by the Adelaide Casino stays within the State and provides substantial support to many South Australians. The fourth point made by the member for Davenport was his claim that the casino was putting in the facilities already.

An honourable member: They're improving them.

Mr HOLLOWAY: Indeed, they have been doing some work on the casino; an area of the casino has been upgraded, but the point is that it is entirely at the casino's risk. The decision to commence refurbishment of the southern wing areas at this stage is a commercial decision which has been made by the operator and in no way undermines the parliamentary process. It is their risk.

Debate adjourned.

[*Sitting suspended from 1 to 2 p.m.*]

PETITION: BLOOD ALCOHOL LIMIT

A petition signed by 37 residents of South Australia requesting that the House urge the Government to set the blood alcohol concentration limit for fully licensed drivers at .05 per cent was presented by Mr Becker.

Petition received.

PAPER TABLED

The following paper was laid on the table:

By the Minister of Industry, Trade and Technology (Hon. Lynn Arnold)—

Tourism South Australia—Report, 1989-90

PUBLIC WORKS COMMITTEE REPORT

The SPEAKER laid on the table the following report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

State Transport Authority—Construction of maintenance depot and bus depot at Mile End South.

Ordered that report be printed.

QUESTION TIME

DRUGS IN PRISONS

Mr D.S. BAKER (Leader of the Opposition): My question is directed to the Minister of Correctional Services. Does the Government intend to introduce urine testing for drugs, or what other measures will be taken to combat the rising incidence of drugs in prisons? The departmental document questioned by the Opposition yesterday proposes the abolition of the prison dog squad as a cost cutting measure but proposes no other action to upgrade efforts to detect drugs. I have received some figures which suggest that already this financial year there has been a further dramatic increase in the detection of drugs in our prisons.

The figures show that, in July, August and September of this year, the prison dog squad made 227 drug finds. As well as the 227 actual drug finds, there were 142 further indications of drugs in the first three months of this financial year. This is already 48 more finds than in the whole of last financial year, suggesting there may now be virtually uncontrolled use of drugs in our prisons. The drug finds so far this year include six of heroin.

The Hon. FRANK BLEVINS: Those figures were published in the annual report, I think, and in the newspaper some time ago. The document that the Leader quoted from was given to the unions some time ago. Unfortunately, to date, the union delegates within Yatala have not taken part in the Government review process. It is the only area of the public sector work force that has refused to be involved, and I regret that.

I have asked the dog squad itself to come up with some options concerning this matter because I do not believe that the squad is working effectively. Apart from anything else, I do not think that it is cost effective. Concerning the question of urine testing, I have made that announcement on several occasions and it appears to be working a little more effectively lately, and I am delighted to see that.

I have already announced in Parliament that legislation will be introduced. I have explained some of the difficulties with that, because it requires a great deal of cooperation from prison officers and also a degree of cooperation from prisoners, but I suppose it is easier to coerce prisoners than it is prison officers. I have already told the Dog Squad and the Public Service Association that we must have a very effective system of urine testing for drugs before we would even consider the abolition of the Dog Squad. I would be very pleased, once this announcement has been made, if the dog squad told me that it would look at its efficiency and come up with better methods of operation.

Mr D.S. Baker: Did you consult the unions?

The Hon. FRANK BLEVINS: Yes, the union was there.

Mr D.S. Baker: The ones at Yatala?

The Hon. FRANK BLEVINS: Yes.

Mr D.S. Baker: You did?

The Hon. FRANK BLEVINS: Yes.

Mr D.S. Baker: Are you sure?

The SPEAKER: Order!

The Hon. FRANK BLEVINS: Yes. Present at the meeting were Jan McMahon, the President of the PSA; Robert Cooper, the PSA representative at Yatala, whom the Leader would know well; and Mrs Jeffries, a PSA candidate.

The SPEAKER: Order! The Minister has strayed a great deal, and I ask him to come back to the question and to draw his comments to a close.

The Hon. FRANK BLEVINS: I was merely pointing out that these people were present at the meeting.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: The answer is 'Yes', and I can give the honourable member the names if it is wished. I can add to the Leader's list of people who were at the meeting, including an officer from the Dog Squad.

An honourable member: What about the minutes of the meeting?

The SPEAKER: Order! The Minister will resume his seat. The honourable member for Napier.

UNEMPLOYMENT STATISTICS

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Employment and Further Education advise the House of the latest employment and unemployment statistics for South Australia that were released by the Commonwealth several hours ago?

The Hon. M.D. RANN: The unemployment rate in South Australia for October remained steady at 8.2 per cent, and the total employment figure actually rose. Whilst the unemployment rate has stayed at 8.2 per cent for the third month in a row, South Australia should not be complacent about the difficult job market. The labour market must continue to be of concern for the months ahead. Indeed, if the national economy continues to weaken, the State labour market will also be adversely affected.

I want to warn the House against the doomwatchers, including the Leader of the Opposition, who seem intent on talking down the South Australian economy. In fact, the Leader might be interested to know that the total number of people in employment in South Australia for October was at an all-time high, but I would be surprised whether he ever highlights that fact. Despite this, the unemployment rate is still far too high. I stress that South Australia needs to be well placed to ensure that it can respond quickly to any upturn in the economy when it does rebound. That is why we must not allow the white feather brigade (or the white flag brigade in the case of the Leader of the Opposition) to talk down the situation and to make pessimism about the economy a self-fulfilling prophecy. We have all heard the Leaders predictions over the past few days. We know what he wants. His whole strategy is based on hoping and praying—

The SPEAKER: Order! The Minister will come back to the subject of the question.

The Hon. M.D. RANN: The subject of the question is unemployment, Sir. I note that the Leader of the Opposition has made some predictions in this area. He wants the unemployment rate to increase in South Australia to boost his own sagging position. The Government and the business community should not overreact to the slowing of the economy. Total employment grew quite significantly over the past month, but again we should not be transfixed by that because it slumped the month before. We must not be transfixed by these monthly figures but look at trends. So, the increase in employment is obviously a significant development over the past month and indicates that the adverse

economic pressures at a national level have yet to have an impact on the State economy with full force at this stage. It is important that South Australia maintains its skills and training base.

That is why the recent figures showing a record number of apprentices since 1977 are most encouraging for the future. I know that did not get much of a run—about two lines. If it had been the worst level of apprentices, it would have been on the first page, but that is another story. We have to maintain our commitment to training, to securing new projects and to exploring new ideas. The State labour market is continuing to show some resilience despite the many economic indicators which suggest that the national economy is continuing to weaken. However, it will be difficult to maintain this position if there is a more serious downturn nationally. I hope that the Leader of the Opposition, who is desperate for depression and infatuated with despair of his own position, will look at the facts in future.

CURRICULUM GUARANTEE

Mr S.J. BAKER (Deputy Leader of the Opposition): Will the Premier give a commitment that he will honour his major election promise to all students and schools that his Government's curriculum guarantee package will be extended beyond 1990? In a fax to all schools on the day before the last election, the President of the Teachers Institute, David Tonkin, recorded the following commitment from the Premier:

> Students are guaranteed that in 1990 and beyond, the 1989 curriculum is the absolute minimum offering.

Mr Tonkin commented in the same fax that the Premier's commitment 'provides the reassurance and the stability that schools and parents have been seeking'.

The Hon. J.C. BANNON: The honourable member would be well aware that, at the moment, the Government is engaged in intensive discussions and consideration in order to try to preserve that curriculum guarantee as it relates to students and their subject choice. That is in the light of quite a blow to us in terms of the financial requirements of the education system. At the time we were negotiating this particular—

Members interjecting:

The SPEAKER: Order! The Minister for Environment and Planning and the member for Hayward will cease their discussion across the Chamber. The honourable Premier.

The Hon. J.C. BANNON: At the time we negotiated and implemented the curriculum guarantee, there was talk of a national benchmark salary for teachers which had been discussed and agreed at the Commonwealth level. The particular levels of it were under negotiation. The period in which it would come into operation was discussed and we were told by the Federal Minister that, in fact, as we moved to the national benchmark, the Commonwealth would provide funds to ensure that there was no disadvantage to the system. It was with those assurances and that confidence that we were able to bring on this curriculum guarantee in a whole range of elements as it related to education.

In the past few months, that strategy has been thrown into disarray. First, the national benchmark salary for teachers has not been established. A number of States are seeming to conform with a general level which, incidentally, is much higher than that which was under discussion last year, but, in the case of South Australia, the teachers tribunal has awarded a rate of pay which is the highest in Australia and has millions of dollars worth of implications for the funding of our education system. There was no way we could have anticipated that. I do not recall any time when South Australia has had the highest teacher salaries in Australia. We have always been somewhere in the middle of the pack in recognition of our situation and other attributes of our education system, so that was a major blow.

The second major blow was that the tribunal awarded the salary increase immediately, with no phasing in. Every other education system in Australia, both government and non-government, has had a phase-in arrangement for the new salary levels. In South Australia, in the light of the decision made by the teachers tribunal for Education Department salaries, the non-government sector has been able to negotiate a phase-in period. We have been denied that. That has further massive financial implications for us in the short term. We attempted to have that situation changed and that has not been possible, so we must live with it. We are not challenging the salary level or attempting to deny teachers their pay. On the contrary, if that is the award and that is the situation, we will honour it.

We have said all along that, in any case, teachers did deserve some increase in their pay. That is not at issue; it is the extent of it and how we can absorb it in terms of affordability. That is the situation we face at the moment, with massive implications for the finances of our State yet, despite that, we are working very hard to provide the elements of that curriculum guarantee which, we must remember, relates to access by those students in the system to a high level of teaching skill and to a range of subject choice, wherever they may be located. That is what we are working to preserve under the curriculum guarantee. I hope that we will be able to succeed, despite the financial problem we face.

The problem in the public debate and in the way in which the Opposition is approaching this issue is that people are looking at teachers as being some sort of output of the system. The way in which one judges the education system and its effectiveness is by looking at, for instance, the number of teachers in that system. It has to be remembered that the way in which we should judge our education system is by the output, which is in fact the teaching of students—the learning they acquire and the skills they develop. That is the output of the system; that is what the education system is all about. One of the inputs to that is teachers and their skills, and there is a range of other inputs as well. So, when one is looking at curriculum guarantees and the effectiveness of education one should look at it very much on that basis and not simply concentrate on one particular element, as the question raised by the Leader of the Opposition suggests.

I hope and believe that we can work our way through this particular problem, despite the fact that we have no time to do it and despite the fact that we have to grapple with a very large problem in a very short time. At the moment, we have the best education system in the country, we would argue, as well as a number of other major advantages in terms of pay, conditions and such things that have been developed. Within the system we have advantages in terms of comparative class sizes and resources applied to education that would be the envy of a number of other States.

We intend to try to maintain that edge, but there is no way that we can couple the highest teacher salaries in the country and the highest comparative non-contact time in a number of categories with the lowest class sizes and a number of other elements, such as a large increase in the ancillary staff services support provided in this State, yet end up with an affordable system. Our aim is threefold in terms of that curriculum guarantee: first, to ensure that we

have a top education system in which children can learn and about which parents are happy; secondly, to maintain our teachers' morale and skill at the highest possible level, because they are a very important input to the system; and, finally, to ensure that we have a system that is affordable for the community of South Australia.

Incidentally, by way of a final point on the curriculum guarantee and the criticisms made by the teachers union, which have been echoed here by the Leader of the Opposition, I point out that I did not hear very much, nor did my colleague the Minister of Education hear very much, about the curriculum guarantee aspects of the orderly conduct of the education system and the cooperative partnership working together to effect changes during the disputes, strikes, the stoppages and the work to rules that we experienced earlier this year. If anyone wants to argue about the curriculum guarantee and how it has operated since the last election, I think a number of questions ought to be directed to the teachers union and its attitude to it since the last election.

VISITS TO COUNTRY AREAS

Mrs HUTCHISON (Stuart): Can the Premier provide the House with any more detail about his proposed visits to country areas? Following a question from the member for Goyder yesterday, the Premier indicated that it was his intention to visit country areas in order to gain a better understanding of the problems facing members of our rural community. Since the Premier's response a number of inquiries have been received by my office, which has asked me for further details of the areas and the times of the Premier's visits.

The Hon. J.C. BANNON: I covered this in general terms yesterday in response to a question from the member for Goyder and I can now give further details that I did not have then. It has been my practice around this time of the year to go to parts of rural South Australia, and that is in good and bad times, and that will certainly continue to be the case. As I indicated yesterday, I intend to visit a number of country areas over the next few months. The first visit is planned at the end of this month to the Mid-North and the second, in late December, to the Riverland area.

As I also indicated yesterday, the Minister of Agriculture and I had discussions with the UF&S about appropriate areas and the timing of visits, and the organisation made the point to us that, when the crunch comes and things get really tough, it will be in the first quarter of next year and that that is probably a most appropriate time in which to visit those communities and talk about various issues. We are doing a number of things very actively in this current time, including the Minister's visit to Mr Kerin, and so on.

I need not go into those again, other than simply to say that in the new year—picking up that advice to which, incidentally, I give a little more weight than I might give to the member for Goyder, with due regard to his somewhat churlish approach into this area—I intend, in conjunction with the Minister of Agriculture, to visit other areas such as the Eyre Peninsula and the South-East of the State. When such visits are taking place naturally I will advise the local members concerned of those visits. Already the Minister of Agriculture has further visits planned this year. He will be at Appila and Berri over the next three weeks and he is already spending an increasing amount of time in rural areas.

MINISTER'S REPLY

Mr INGERSON (Bragg): Why did the Deputy Premier reply, 'Of course, I know nothing of this' to my question on 25 October about the circumstances of a Health Commission employee who is a hostage of Saddam Hussein? In view of his much earlier knowledge of this matter, will he now accept full responsibility for having failed to ensure that the Health Commission gave the highest priority to a fair and sensitive handling of the predicament of Mr Andrew Peake? In contrast to the Deputy Premier's reply to this House on 25 October, I have now received a letter signed by the Minister in which he admits:

> I was informed by the Chairman of the South Australian Health Commission that an employee of the Guardianship Board was a hostage in Kuwait shortly after the commission itself was notified by the Guardianship Board on 20 August.

The Hon. D.J. HOPGOOD: All I can say is that, if at any time I had the name of the individual, perhaps it would have been brought home a little more to me. As I said at the time, when it became clear to me that it was Mr Peake, I recalled that he was an employee of the commission and that I had taught him: he had been a student of mine. I have to say that I had no knowledge of the actual circumstances in which certain benefits were being withheld from him, which is exactly what I said on the matter at the time.

Members interjecting:

The Hon. D.J. HOPGOOD: I do not deny signing the letter or what I said. Let me reiterate what I said to the Chamber on that occasion: I had absolutely no knowledge of any negotiations occurring concerning that gentleman's pay or other entitlements, and that was the context in which that question was asked. Of course, I had seen from the press that Mr Peake was being held in Kuwait at that time, and I wondered whether it was the same individual whom I recall as a little schoolboy at a particular school. But there was no reason for checking as to any of the industrial aspects of this matter. All I can say is that, once the matter was drawn to my attention, I fixed it within 24 hours.

GOVERNMENT AGENCY REVIEW GROUP

Mr HOLLOWAY (Mitchell): My question is directed to the Minister of Finance. In view of the considerable publicity that has been given to the Government Agency Review Group, will the Minister advise the House of the present status of the review process, and will he say when those departments to be affected will be made aware of the outcome?

The Hon. FRANK BLEVINS: Submissions from the various Government departments, agencies and statutory authorities have come into my office, and overwhelmingly they were put together with the assistance of union reps in those individual departments. They will be evaluated by the committee, and further discussions will be held with the United Trades and Labor Council before any Cabinet decisions are made on those proposals. It will be a staged process, so the individual departments will hear, probably in a few weeks time, just what the Government's intention is to restructure those particular departments.

Yesterday and today I was interested to hear the Leader of the Opposition quote from a document that was prepared for this process, as if there were something secret in that document. I point out that all these documents are available to the various unions. Overwhelmingly they were prepared with the assistance of the union reps, so there is certainly no great secret. I also point out that they certainly do not at this stage represent the Government's view. At the moment

the Government has not had an opportunity to examine the documents and to see with which particular points of view we agree or disagree.

The procedure is a very open one. In fact, we have asked all the departments to have a look at everything, to put everything on the table, and not be inhibited by any question of leaks because there is no need for leaks. If the unions wish to give the documents to the Leader of the Opposition, they can. Obviously, some shop stewards at Yatala have, and that is fine: we have no problem with that at all. I welcome the debate, although it makes rather a boring Question Time.

There will be many more of these. There will be some shop stewards who feel they are better advancing their cause through the Opposition. So far I think we have had three over the past couple of weeks. We have had people from the Department of Marine and Harbors in here being wined and dined by the Leader of the Opposition. The Opposition's view on marine and harbors is to sell the ports, but that is not our view, and I think that the situation is quite ironic. The same applies to the situation concerning the prisons. The view of the Opposition is quite clearly to sell the prisons, yet, here it is going round to the prisons and saying to the prison officers, 'We will help you. If there are any surplus jobs here, it doesn't matter. We'll defend you. We'll see that all those jobs stay.' That is the view of the Leader of the Opposition. That was the view of this place yesterday. I noticed that an ARU document was being used which complains about some of the suggestions for reducing the deficit and increasing and transferring STA services.

An honourable member: It's sad, isn't it?

The Hon. FRANK BLEVINS: It may well be sad. Before the election the Opposition complained continually about costs, but when we are doing something about it, whether it involves prisons, Marine and Harbors or the STA, what do we get from the Opposition and the Leader? 'We are with the workers. We will defend every job!' The Leader of the Opposition was on the steps of Parliament House, during the SACON demonstration, saying, 'We are with you workers', but at the same time he is saying in all the media—

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: —that he supports smaller government.

Mr OSWALD: I rise on a point of order. I refer you, Mr Speaker, to Standing Order No. 98. The Minister is now debating the question. The question was simply about the status of the review process. He has gone far beyond that matter now and is debating it. I ask you, Sir, to draw him back to the question or withdraw leave.

The SPEAKER: I agree with the point of order. The Minister will draw his remarks to a close.

The Hon. FRANK BLEVINS: I will do that, Sir. I just want to point out the difference between this Government and the Opposition. This Government wants an efficient Public Service. It will be paying for it after building up work and management practices for so many years. It will not be an easy process. The Opposition does not want an efficient Public Service. It does not want a Public Service at all—it wants to get rid of the lot. That is the position of the Opposition.

The Government agency review group will make a substantial difference to the way the public sector operates in this State. It will not be a five minute process—it will be an ongoing process. It will change over a period the way that public services are delivered because we must have the financial space to put in place the expansions that we need in health, education and community safety. We need to expand those areas, and we will do so by redirecting resources from areas of less priority.

STRATEGIC BURNING OPERATIONS

The Hon. TED CHAPMAN (Alexandra): Will the Minister for Environment and Planning now accept that strategic burning in national parks vulnerable to periodic bushfires should be an essential part of good land management rather than being treated merely as an idea by farmers which is constantly rejected by officers of the National Parks and Wildlife Service? Will she also accept that, until such strategies are adopted, absolute control of fires within national parks should revert to the respective local CFS volunteers and authorities?

This week 80 square kilometres of the Flinders Chase National Park on Kangaroo Island has been burnt or is currently burning. I am informed by local CFS personnel that much of this area could have been saved from uncontrolled 'fierce heat' burning, and saved from thousands of dollars of both public and private money, if local CFS experience and management directions had been observed both prior to and during this bushfire.

Mr Gunn: The same thing is happening on Eyre Peninsula at the same time.

The Hon. TED CHAPMAN: Conflict between CFS volunteer personnel and National Parks and Wildlife staff at the scene of bushfires has again surfaced during this outbreak. The issues of absolute control by CFS personnel in such circumstances and strategic burning within parks as a sound management tool have been canvassed for a long time within the community and within this Parliament. Reports today confirm a growing number of angry Islanders are sharing my earlier assertion in Parliament that, unless proper management in Flinders Chase applies soon, *ad hoc* camping tourists will be burnt alive, especially if one of these massive wipe-out fires occurs during late summer in the region. Locals report being lucky this time, because it is early in the tourist season and pastures adjoining that park are still green; otherwise many farmers, I am informed, would have simply refused to leave their own properties to help in the poorly managed national parks arena.

The SPEAKER: Order! The honourable member has given sufficient explanation. I ask him to wind up.

The Hon. TED CHAPMAN: I have been asked in this instance to call on the Minister to have these management and fire control practices heeded as a matter of urgency and in the community's interest at large.

The Hon. S.M. LENEHAN: I thank the honourable member for his question and his obvious concern for the whole question of the preservation of national parks. Members would acknowledge that 17 per cent of this State—some 17 000 million hectares—comes under national parks categories. I acknowledge the comment of the member for Eyre and his concern for the areas in his electorate where there have been recent outbreaks of fire.

I take the points raised in the lengthy question asked by the honourable member because I think they are very valid. I would be very pleased to initiate further discussions with the National Parks and Wildlife Service, particularly with its Director, and with the Director-General of the Department of Environment and Planning, because I am aware that there are differing opinions about the best way to control a fire. I am aware that there are differing points of view about the best form of control. Indeed, this goes right back to when Aboriginal people were the only inhabitants of this great country, and to when there was still some

discussion and debate about whether their way of controlling and burning, etc., was indeed the best way of management.

An honourable member interjecting:

The Hon. S.M. LENEHAN: I did not think that the honourable member would, but it is important to recognise that debate and discussion has gone on for a long period about the best form of control and the best way to litigate the ravages of bushfire. I am very pleased that the honourable member has raised this question in Parliament, and I would be happy to initiate further discussions.

Also, I would wish to involve my colleague the Minister of Emergency Services because of the expertise that he personally has in relation to this issue and also because of the fact that his department has a wide range of experience.

An honourable member interjecting:

The Hon. S.M. LENEHAN: Yes, I would be very pleased to involve the member for Eyre, who represents an enormous part of the State of South Australia. We must reach an agreeable solution in this area. I do not think that we should be looking at this issue from the point of view of confrontation, and I am very happy to take the suggestion on board.

MOUNT LOFTY RANGES SUPPLEMENTARY DEVELOPMENT PLAN

Mr HAMILTON (Albert Park): Will the Minister for Environment and Planning say whether the Mount Lofty Ranges interim supplementary development plan has been amended and, if so, what are the changes?

The Hon. S.M. LENEHAN: The interim supplementary development plan for the Mount Lofty Ranges, which came out of the review, has been amended. It is important to remind the House of the history of this matter. I introduced an interim supplementary development plan in response to what I believed was a rush by some unscrupulous people who wished to put in their applications before we had the opportunity to ensure that the full supplementary development plan was able to be put in place. This meant that, if we had not acted as a Government, the whole thing may well have been a futile exercise. In other words, the three years of consultation and hard work and the almost $2 million of public money that was spent to develop the recommendations from the review would not have been worth the paper they were written on because we would not have been able to preserve those very fragile areas of the Mount Lofty Ranges and, at the same time, ensure proper development and the preservation of the agricultural amenity of the ranges as well as the water quality for South Australians and, indeed, the quality of tourism in that area.

The plan was assented to today. When I announced the changes in the interim plan at the time of bringing down the first interim plan, I gave local government in the Mount Lofty Ranges area the opportunity to come back to me with some sensible recommendations. I am very pleased to say that I have adopted those recommendations. In fact, it was never the Government's intention that people who owned a single block of land should be disadvantaged in terms of being able to build on that land. I am pleased to tell the House that the new interim plan does not allow for subdivision in the Hills area, but it does allow for sensitive development to take place where it can be shown that adequate disposal and treatment of waste water will take place and where the architectural design of housing is sensitive to that environment.

I understand that I am being criticised on the one hand for being too lenient; yet, I am being criticised at the other end of the spectrum for being too strict. That indicates that the Government has the correct balance which will ensure the protection and preservation of the Mount Lofty Ranges well into the next century. This Parliament and this Government will be responsible for ensuring the ongoing protection of those very important ranges.

BENEFICIAL FINANCE CORPORATION

Mr BECKER (Hanson): I direct my question to the Treasurer. How does—

The Hon. T.H. Hemmings interjecting:

The SPEAKER: Order! The member for Napier is out of order.

Mr BECKER: How does the Premier justify the doubling of the remuneration of the former managing Director of Beneficial Finance last year to over $500 000? Will he reveal what remuneration package has been given to the new Managing Director, Mr John Malouf, in the light of the Public Accounts Committee's recommendation that such remuneration packages should be disclosed?

The 1987-88 annual report of Beneficial Finance Corporation states that, in that year, one director (presumably Mr John Baker) received between $250 000 and $259 999 in income and that loans made to directors who were full-time employees of Beneficial Finance were $400 000. Directors of Beneficial Finance who were full-time employees of the State Bank group were lent $1.3 million in 1987-88. The 1989-90 annual report shows that Mr Baker's remuneration increased to at least $520 000 and additional loans to directors totalled $581 000. In addition, a sum of $122 000 was paid in connection with the retirement of directors. In light of the poor performance of the State Bank and Beneficial Finance in 1989-90, the expectation that that performance will be worse this year, Mr Baker's sudden retirement from Beneficial Finance and the generally accepted need for wage restraint in the community, I have been made aware of concern that senior executives of the State Bank group have been feathering their own nests at the same time as the return to taxpayers on their $920 million of equity in the State Bank group is zero.

The Hon. J.C. BANNON: I can make no justification for that, and it is not my job to do so. That decision will have to be taken by the board which employs the executives and, in this case, the then Managing Director of Beneficial Finance. In relation to the remuneration package of the present incumbent, I will ask the board of Beneficial Finance whether it can provide that information.

CHILDREN'S AID PANELS

Mr McKEE (Gilles): Can the Minister of Family and Community Services confirm a long-term, alarming rise in the number of young people coming before the Children's Court and children's aid panels? Does he share the concern expressed in this morning's press about trends in this area? What programs has the Government in hand to address such problems?

Members interjecting:

The Hon. D.J. HOPGOOD: No, I heard the question all right. Let me approach it in this way.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: I read in this morning's paper that the number of people killed on our roads this year is six up on last year thanks to a very good last four

or five weeks. That has to be predicated against last year, which was the best year on our roads ever in terms of fatalities. What that illustrates is that—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: I am sorry, Sir, I obviously misheard the question. I ask the honourable member to repeat it.

Members interjecting:

The SPEAKER: Order! The members for Heysen and Bragg are out of order. The member for Gilles.

Members interjecting:

The SPEAKER: Order! The member for Coles is out of order.

Members interjecting:

The SPEAKER: It is members' Question Time; if they want to waste it in this way, it is up to the House.

Members interjecting:

The SPEAKER: Order! The member for Goyder is out of order, and the next interjector will be warned.

The Hon. D.J. HOPGOOD: Can I ask you a question, Mr Speaker? It is my impression that the honourable member asked me a question about children coming before children's aid panels and before the Children's Court, and I was in the process of answering that very question by way of illustration in another area. Am I in order in proceeding with my answer?

The SPEAKER: Order! There is no Standing Order that directs a Minister or any person in this place on how to answer a question, so the Minister is in order. The honourable Minister.

The Hon. D.J. HOPGOOD: From the barrage of interjections from the other side, I really thought for one moment that I should take the Opposition at face value and that perhaps I had misheard the question. However, it is clear that I had not misheard the question, although my attention had been straying slightly. Let me put what I had to say in context. The point I was trying to make is that, when one looks at a set of statistics, whether they be about the road toll or whether they be about children appearing before children's aid panels or the Children's Court, one must look not at the short-term but at the mid to long-term trend. It so happens that I have before me a set of statistics that puts that long term into some sort of context. In the financial year 1983-84—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: —the total number of children appearing for offences either in the Children's Court or before children's aid panels was 9 758. In the following financial year it was 9 442; in the next, 9 991; in 1986-87, 9 427; in 1987-88, 8 815; in 1988-89, 7 644; and, in 1989-90, 7 827. So, I hope that members can appreciate the point I am trying to make. It is true that, from the annual report of the Department for Family and Community Services, which is the point the honourable member is making, there has been an increase in the number of these offences from last year, but it has to be predicated against the fact that last year was the best year throughout the whole of the period for which I have quoted these statistics.

In addition, if one looks at serious offences, by which I mean assault occasioning actual bodily harm and that sort of thing, for the past five years, one sees that in 1985-86 the number of children charged with those crimes of violence was 101; in 1986-87, 109; in 1987-88, 133; in 1988-89, 105; and, in 1989-90, 110. Again, one can see some fluctuation around the mean but nonetheless one cannot see from that that there has been any sort of dramatic increase over what I would regard as a reasonable period of time to look at these questions.

A good deal of attention was focused in the press report that I saw this morning in relation to rape. In fact, if we look at it in the total context, we see that fewer than 2.2 of every 1 000 offenders were charged. One is too many, I concede that, but the whole thing certainly needs to be seen in that context. There is no trend in the time period to which I have referred that would suggest that there has been an alarming increase. One offence is too many; nonetheless, I can only draw the attention of the House to the number of initiatives which the Attorney-General and the Premier have announced in relation to our coalition against crime and other such matters.

They are as pertinent to young people as they are to adult offenders and, of course, my own department works very hard, along with the Attorney-General's people, to ensure that these programs continue to remain pertinent. Thank you, Sir, for your indulgence to me on this occasion. I also point out to members that, when a Minister begins an answer by way of illustration, they have to take account that, from time to time, we try to be just a little imaginative in getting the point across.

SUNDAY TRADING

Mrs KOTZ (Newland): Will the Minister of Labour explain precisely what criteria are followed to determine whether requests from major shopping centres to be allowed to trade on Sundays are granted? I have received representations from the St Agnes Shopping Centre, which had applied to trade on Sunday 11 November. Approval to trade on this day has been granted to Westfield Tea Tree Plaza, Westfield Arndale and Westfield Marion but the application from St Agnes has been rejected. In explaining the decision to St Agnes, the Minister has stated that such applications are granted 'where the store opening is either an integral part of a special and major promotion which has significant community involvement or is part of a community celebration or event.

The Minister has also listed a number of examples of approvals, including the opening of the O-Bahn extensions to Modbury; the Glenelg Mardi Gras; the Kensington and Norwood Christmas pageant; the Riverland wine festivals and the Kernewek Lowender festival. The management of the St Agnes Shopping Centre remains baffled as to how Westfield's application fits the criteria and is seeking a further explanation from the Minister.

The Hon. R.J. GREGORY: I thank the member for Newland for her question. The honourable member is correct: on some appropriate occasions the Government does provide an opportunity for more shopping outside of normal shopping hours.

Members interjecting:

The Hon. R.J. GREGORY: We now have the member for Bragg interjecting—it is a joke.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The Minister.

The Hon. R.J. GREGORY: Thank you, Mr Speaker. On this occasion the Westfield organisation approached the Government seeking to open its three centres on a Sunday on the understanding that the associated significant event would be the provision of free transport on that day throughout the metropolitan area. That organisation had reached agreement with the STA whereby it would provide free transport on that day.

Mr Ingerson: What about all the other centres?

The Hon. S.M. Lenehan interjecting:

The SPEAKER: Order! The Minister for Environment and Planning is out of order. The Minister of Labour.

The Hon. R.J. GREGORY: I suggest that the member for Newland get the other members on her side to ask the question, because they are all interjecting.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: All I can say is that the member for Bragg ought to go back to school, or have his hearing checked out so that he can understand what I am saying. I have made it clear: on special and significant occasions the Government has agreed to shopping outside of normal shopping hours. When we provided this facility for the three Westfield centres to open, it was on the basis of the significant event resulting from Westfield's reaching agreement with the STA for it to pay for the operation of buses on that day. However, since then everyone else has wanted to get in on the event: these other groups have wanted the benefit that Westfield is willing to pay for but, being like the Liberal Party, they do not want to pay for it. They have not had the initiative to approach the Government in relation to a significant event for themselves.

I can well remember during the shopping hours debate here a few weeks ago when one group of people wrote saying, 'We don't want Saturday afternoon shopping', but when the letter was opened tucked in with it was another letter saying, 'Please can we have an additional Saturday afternoon shopping because we want to do this.' That shows exactly the double standards they have.

An honourable member interjecting:

The Hon. R.J. GREGORY: What did you say?

The SPEAKER: Order! Interjections are out of order. The Minister will direct his remarks through the Chair.

The Hon. R.J. GREGORY: The honourable member made a most outrageous suggestion about bribery. I suggest that he stand up in this place and say it, instead of hiding behind murmurs. Because of this lack of initiative by a number of these shopping centres that want to hop on the band wagon, we have decided to have discussions with the RTA and the shop assistants about what will happen to Sunday shopping. I have suggested to the RTA that it talk to its members and constituent groups, and I will be talking to other groups that have an interest in shopping, with a view to establishing a regularised approach to Sunday shopping within the next two years, so that they can work out what they want to do on the basis of there being no more than two available Sundays in any year for the shops to open.

Already this year we have agreed to all-day shopping on the Sunday prior to Christmas. We have told those people that, if they want special days for significant events, two Sundays a year will be available, but no more. The Government will determine whether those days are to be provided, if at all, but in any event there will be no more than two such days. The groups in question are currently thinking about that, and I will be discussing that matter with them I think in the new year.

STA TICKETS

Mr De LAINE (Price): Will the Minister of Transport inform the House whether the State Transport Authority is considering additional ticket outlets for the sale of its tickets? I understand that the sale of STA tickets from Australia Post offices has been very successful. In view of that success, an expansion of ticket outlets may further improve the convenience for commuters on public transport in Adelaide.

The Hon. FRANK BLEVINS: I am delighted to be able to inform the House that almost 200 outlets in Adelaide will now be selling STA tickets.

An honourable member interjecting:

The Hon. FRANK BLEVINS: I agree, and I will come to that in a moment. We have come to an agreement with a whole number of newsagents, delicatessens, video shops, and so on, to have STA tickets available and to display specific timetables in the windows of these businesses, which in the main open quite long hours. They do not involve only post offices in Adelaide, and we hope that after utilising this initial 200 delicatessens etc. we can get some more businesses that are close to a public transport stop or station to sell tickets. I do have to tell the member for Price that I regret that it has taken me 18 months to achieve this. I also regret what I saw in yesterday's paper indicating that the ARU has slammed the concept. I think that that is appalling.

When I became Minister of Transport some 18 months ago I was surprised to find that it was very difficult to buy a ticket for the STA. I suggested that the unions ought to be pleading and demanding that anybody be allowed to sell STA tickets—any organisation at all. But, the view of the ARU is always 'No'—that nobody can. It has taken a great deal of negotiation for it to finally say, 'We are going to do it.' That is a great pity, but it does indicate some of the problems that we have in trying to change some entrenched work practices. I would like to think that when we are having difficulties in doing these things we would have the Opposition's support. Just once I would like to think that we have that support.

An honourable member interjecting:

The Hon. FRANK BLEVINS: I hope we do, and I hope to hear it. I hope that members of the Liberal Party will, in their caucus, say to their Leader and Deputy Leader, 'Never mind this opportunism. Let's have some guts. Let's have some spine.'

Mr S.J. BAKER: On a point of order, Sir, the Minister continues to waste the Question Time.

The SPEAKER: The Minister has finished.

EYRE PENINSULA BUSHFIRE

Mr BLACKER (Flinders): My question is directed to the Minister of Emergency Services, and it is not unlike the question asked of the Minister for Environment and Planning by the member for Alexandra.

Members interjecting:

The SPEAKER: Order! The Minister will resume his seat. The honourable member for Flinders.

Mr BLACKER: First, is the Minister in a position to report to the House about the status of the fire south-west of Whyalla extending towards Mitchellville, and whether the fire is under control? Secondly, can the Minister advise on the cooperation between the various emergency service groups, the National Parks and Wildlife Service and local farmers in the fighting of the fire and the mop-up operations currently under way?

I have received reports about the coordination of the fire-fighting effort which indicate some problems and misunderstandings in the effective fighting of the fire. Contrary to some reports, there have been crop losses and some sheep have been badly burnt and may have to be destroyed. At a meeting last night of the local branch of the United Farmers and Stockowners, there was considerable criticism of the actions of some sections of the emergency services. I intend

to inspect the area tomorrow to see the extent of the damage and to speak with those most affected by the fire.

The Hon. J.H.C. KLUNDER: Certainly it has been a very busy week for the CFS. The same kind of thunderstorm that just passed over the House has been instrumental in lighting more than 60 fires throughout the State in the past week, and three are still of some concern. In a previous question, the member for Alexandra raised concern regarding the fire burning in Flinders Chase. There is a fire which is more or less under control east of Gawler and is currently being patrolled. My advice comes from data this morning, so there is no guarantee that things have not changed with the peculiar weather that we are having currently.

The third fire is the one to which the member for Flinders has referred. It started on 1 November and to date has burnt some 35 000 hectares. The length of the fire is about 40 kilometres and the width is about 12 kilometres. It is burning mainly in pastoral country, mallee, spinifex woodland and acacia woodland, and a very large amount of fuel is available on the ground. Consequently, the fire has been very difficult to control. There is a scarcity of people in that area, and that means there is not an enormous number of appliances that can get to the fire.

I understand that some 14 CFS appliances, four dozers and three graders are currently available to attack the fire. Approximately 100 CFS personnel plus a number of people from various support services are working there. My information this morning was that the fire was contained at that stage, but there was clearly an expectation that there would still be considerable difficulty in actually controlling and putting out that fire. When a fire burns for as long as this, one cannot expect a degree of unanimity with respect to the way in which it should be fought, and there will always be disagreement on that kind of issue. The depth of feeling involved and the degree of disagreement are somewhat difficult to assess at this stage.

I can only take the honourable member's word for it that there is a very large degree of unhappiness there with some aspects of the firefighting effort. However, it is necessary for the CFS, the National Parks and Wildlife Service and the local people to work together to fight fires such as this. Under those circumstances, I am quite prepared to look at the situation. I ask the member for Flinders to keep me informed as to the information that he will gather over the next day or so. If necessary, we will hold a meeting of senior personnel to clarify any issues that arise out of the matter that he has brought to the attention of the House.

PERSONAL EXPLANATION: MINISTER'S REMARKS

Mr INGERSON (Bragg): I seek leave to make a personal explanation.

Leave granted.

Mr INGERSON: During Question Time, the Minister of Labour implied that I made a direct reference to him. My comment was very clear. I said, 'What are they paying?' I said that because I have had contact with the Westfield group. I asked that group on behalf of my constituents why it had special dispensation for Sunday trading. I was advised that it was paying for free transport with the STA as part of a special deal—

The Hon. Frank Blevins interjecting:

The SPEAKER: Order!

Mr INGERSON: —between the STA and Westfield. Further, I object to being personally threatened and abused by any Minister in this place because of a comment that I made.

The SPEAKER: Order!

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT AMENDMENT BILL

The Hon. R.J. GREGORY (Minister of Occupational Health and Safety) obtained leave and introduced a Bill for an Act to amend the Occupational Health, Safety and Welfare Act 1986. Read a first time.

The Hon. R.J. GREGORY: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

The Occupational Health, Safety and Welfare Act has been in operation since 30 November 1987. The Act introduced a completely new framework to this State for solving occupational health and safety problems in the workplace. The approach is based on consultation and on ensuring the participation of everyone in the workforce. After three years of working with this new system, it is now time to streamline some of the administrative procedures under the Act to ensure its continued effective operation. This Bill was prepared in major part in response to and on the recommendation of the Occupational Health and Safety Commission.

Aims and Objectives

The provisions of this Bill aim to achieve four major objectives: to strengthen the legal status of codes of practice under the Act; to clarify various responsibilities for duty of care under the Act; to improve certain of the administrative procedures and arrangements to make it easier for the Act to be implemented; and, finally, to allow certain offences under the Act to be expiated. I propose to deal with each of these broad areas in turn.

Legal Status of Approved Codes of Practice

Under the Act as it currently stands, regulations are couched in general terms and the details are spelt out in codes of practice approved under the Act. At present codes of practice have evidentiary status only in cases where a prosecution is brought against a defendant for a breach of section 19 (1) of the Act, that is, in relation to the employers' duty of care. Because of this limitation, if proceedings occur in respect of a breach of any other section of the Act, then in such cases, although the relevant codes of practice may be highly persuasive, they do not constitute *prima facie* proof of a breach of the Act: that is, they do not have evidentiary status. The Bill accordingly provides for evidentiary status to be given to all approved codes of practice in legal proceedings for an alleged breach of any section of the Act.

Duties of Care Under the Act

This Bill contains provisions which seek to expand the general duty of care in a number of areas. First, the area of induction training. Time and time again, workers compensation statistics show that the people at work who are most at risk are those who have either just started, or who are beginning a new type of work. Employers must ensure that these employees receive proper training and instruction before they begin new work and that they are then closely supervised until they can do that work safely. Even though the current obligations on the employer require this, it is

an area of such critical importance that it needs to be spelt out—as proposed in the Bill.

Secondly, there is a need to reinforce the notion that managers and supervisors must receive appropriate training in occupational health and safety matters if there is to be any chance of genuine reforms in workplace health and safety. What is clear at the moment is that the health and safety training needs of this group of employees are often forgotten. This Government is concerned to ensure that managers and supervisors receive adequate training so that they are competent to ensure the safety of the people they supervise. The proposal in the Bill clarifies that the training and education obligations of the Act apply to all employees. Thirdly, there is recognition of the need for any eating, sleeping, washing or similar accommodation, provided by employers for their employees use in connection with their work, to be kept in a safe and healthy condition.

Under section 20, the Act currently requires employers with five or more employees to provide a health and safety policy. The Government's view is that employers with less than five employees should provide the same level of health and safety as employers of larger numbers of people. Provision of a health and safety policy is the first and most basic step in ensuring this occurs and the requirement should therefore apply to all employers. The amendment contained in the Bill therefore proposes to delete reference to any prescribed number of employees before such a policy is required.

Section 22 of the Act currently places responsibilities on the self-employed. The proposed amendment to this section will allow inspectors a right of entry to places where self-employed people work and so will resolve the current situation where inspectors are legally unable to carry out their duties with regard to section 22. Employers have the right of appeal against notices served by inspectors and it is proposed to extend this right to self-employed persons.

Section 24 of the Act currently places duties on designers of plant for use in the workplace. Many workplace health and safety problems also arise from the design of buildings and structures. The Government believes it necessary to place duties on designers of buildings which are to be used as workplaces, to ensure that people who work in, on or around the workplace are safe from injury and risk to health. Similarly, the owners of buildings used as workplaces must take their share of the responsibility for maintaining the workplace in a safe condition. It is also appropriate that the designers of structures should ensure that their designs minimise risk for those required to erect the structure. The proposed amendments to sections 23 and 24 of the Act will give effect to one of the main objects of the Act—to eliminate risks at their source—by solving long-term health and safety problems at the design stage.

Workplace Health and Safety Arrangements

Sections 26 and 27 of the Act currently deal with the formation of 'designated work groups' and the election of health and safety representatives to represent these groups. The concept of a 'designated work group' has proved extremely difficult to implement in many occupations because of varying work arrangements. For example, in shift work, mobile work and transient work, it is almost impossible to organise work groups according to the Act's current requirements.

The proposed amendment to replace section 27 simply widens the concept of a work group so that they may be formed according to almost any arrangement agreed by the employer, employees and their representatives. The key to the proposed new concept is that it would introduce flexibility so that the work group can be based on geographical locations, or the type of work performed, or the work arrangements or any other suitable factor. This means that industries such as construction, transport, nursing, and rural would be able to devise work groups along whatever lines suit them best, instead of having to use a single work place as a base. This in turn would reduce the difficulties encountered under the existing system which led to unsatisfactory work group arrangements.

The Bill addresses several problems with the health and safety representative system. The proposed amendments are designed to improve the current system so that it operates more effectively: first, it is proposed to extend the term of office for a representative from two to three years to take full advantage of the training they will have received over the first two years; secondly, the Bill proposes that each work group will have the right to democratically vote out of office a health and safety representative who is not performing; thirdly, the Bill includes provisions to enable an employee's registered association to lodge an appeal on that person's behalf in relation to the formation of work groups or the conduct of an election; fourthly, the Bill encourages the appointment of health and safety representatives on health and safety committees; fifthly, in lieu of the current onus on employees to ask for their representative to present at interviews with employers and inspectors it is proposed that this onus be reversed so that the representative will present unless requested not to be by the employee; and finally, the Bill seeks to clarify the section on provision of information to health and safety representatives to ensure that employers provide health and safety information that they can reasonably obtain as well as information they have in their possession.

One further proposed change to the health and safety representative system involves training entitlements. The Government is committed to the principle that the key to effective health and safety representation is training and this applies equally to representatives in large and small workplaces. The proposed provision will ensure that representatives in small workplaces can attend courses of training approved by the commission in the same way as their counterparts in work places with more than 10 employees. Recognising the difficulties that small business may encounter in covering an employee's absence, it is proposed that such employers be able to determine in any year the timing of a representative's leave to attend such courses.

Penalties

The prosecution process is expensive and labour intensive. For this reason it is proposed in the Bill to allow certain offences prescribed by regulation to be expiated. It is intended that regulations would list minor offences concerned with administrative or welfare matters to be dealt with in this way. This will have the effect of reducing the cost and streamlining the extensive procedures which are currently necessary to effectively enforce these provisions of the legislation.

The Commission

The composition of the Occupational Health and Safety Commission currently reflects a broad range of employer and employee interests. Major industry groups such as construction, manufacturing and the rural industry are represented. The Bill proposes two new members of the commission to ensure that the interests of the mining and petroleum industries are also represented. The new members would be nominated following the recommendations of the South Australian Chamber of Mines and Energy and the UTLC. The remaining amendments contained in this Bill concern minor alterations to administrative procedures,

or are consequential on the amendments previously outlined.

Conclusion

In conclusion, the Government is firmly of the view that this Bill will be of benefit in streamlining procedures, allowing greater flexibility in terms of implementation, and in improving the overall effectiveness of the Act's operation. This Bill is an important part of the Government's strategy to raise the general standard of occupational health and safety and so reduce the unacceptably high number of work related deaths and injuries in this State. Accordingly, I commend this Bill to the House.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 relates to the definitions used in the principal Act. It is proposed to no longer use the word 'designated' in conjunction with the phrase 'work group' in order to reflect the more flexible arrangements that are to apply in relation to the formation of work groups. The definition of 'workplace' is to be revised so that it will refer to any place where an employee or self-employed person works (the present definition only refers to a place where an employee works).

Clause 4 relates to the membership of the commission. Section 8 of the principal Act presently provides that one of the members of the commission will be the Chairman of the South Australian Health Commission, or his or her nominee. It is proposed to provide that any such nominee must be a person who is experienced in occupational health and one or more areas of public and environmental health. Furthermore, the membership of the commission is to be increased by two; an employer representative nominated after consultation with the South Australian Chamber of Mines and Energy, and another employee representative.

Clause 5 increases a quorum of the commission to eight (as a result of the proposed increase in the size of the commission).

Clause 6 makes a number of amendments to section 19 of the principal Act. Subsection (2) is to be deleted and replaced with a new provision (section 63a) that applies in relation to proceedings for any offence against the Act (not just section 19 (1), as is presently the case). Another amendment will ensure that the specific matters contained in subsection (3) cannot be taken to derogate from the operation of subsection (1). Subsection (3) is to be amended to make specific provision for a number of matters that relate to the responsibilities of employers, especially in the areas of instruction and training, and the safe and healthy maintenance of premises and facilities provided by employers.

Clause 7 relates to the preparation of occupational health, safety and welfare policies under section 20. The section presently applies to employers who fall into classes prescribed by the regulations. It is proposed to apply the section to all employers.

Clause 8 makes specific provision in relation to the duties of persons who design or own buildings that comprise or include workplaces. In particular, the designer of such a building will be required to ensure (so far as is reasonably practicable) that the building is designed so as to be safe for the persons who are required to work in, on or about the workplace, and that the building complies with any relevant prescribed requirements applicable to it. The owner of such a building will be required to ensure (so far as is reasonably practicable) that the building (and any fixtures or fittings under the owner's control) are maintained in a safe condition, and that the building complies with any relevant prescribed requirements applicable to it.

Clause 9 will amend section 24 of the principal Act to prescribe specific duties that are to apply to the design and erection of any structure that must be put up in the course of any work.

Clause 10 repeals section 27 of the principal Act and replaces it with two new sections relating to the formation of work groups and the election of health and safety representatives. Experience has shown that references in section 27 to the constitution of designated work groups at a workplace have limited the operation of the relevant provisions in certain circumstances. New section 27 will introduce a greater degree of flexibility, while basically retaining the same procedures that are to be followed to constitute appropriate work groups. In conjunction with this initiative, the term 'recognised member' is to be included in the relevant provisions. A 'recognised member' will be a member of a work group who is recognised as a member of the group for the purposes of the election of a health and safety representative to represent the group, and for the purposes of certain other provisions of the Act. This proposal recognises the fact that there may be some employees—expected to be, for example, casual or occasional members of a work group—who cannot sensibly be included in the election of a health and safety representative, or in the resolution of other issues relating to the office of health and safety representative under the Act.

Clause 11 makes several amendments to section 28 of the principal Act that are consequential on the decision to no longer refer to 'designated' work groups, and to include the concept of 'recognised member'.

Clause 12 will amend section 29 of the principal Act so that a deputy health and safety representative will be elected by the recognised members of the relevant work group.

Clause 13 relates to the office of health and safety representative. It is proposed to increase the term of office of such a representative from two to three years. Furthermore, it will be possible for two-thirds of the recognised members of a work group to remove from office the health and safety representative who represents their group on the ground that they consider that the representative is no longer a suitable person to act on their behalf. A majority of the employees who, at any particular time, make up a work group will also be entitled to apply for the disqualification of the health and safety representative who represents their group.

Clause 14 relates to health and safety committees. Section 31 of the principal Act presently assumes that health and safety committees will be constituted at a workplace. This may not be appropriate and so appropriate amendments are proposed. In addition, some guidance is to be given as to how a health and safety committee should be constituted.

Clause 15 will amend section 32 of the principal Act in a manner that is consistent with the proposal to introduce greater flexibility in relation to the constitution of work groups. It is also proposed to amend subsection (1) *(d)* and *(e)* so that a health and safety representative can attend certain inteviews without the need of a request from an employee in his or her group. However, a health and safety representative will not be entitled to attend such an interview if the relevant employee requests that the health and safety representative not be present.

Clause 16 makes two consequential amendments to section 33 of the principal Act.

Clause 17 relates to section 34 of the principal Act. Many of the changes are consequential on amendments to other provisions. An amendment to subsection (3) will provide consistency with sections 37 (3) and 44 of the Act in relation to the payment of a person while he or she is performing

the functions of a health and safety representative or attending related courses of training. Another amendment relates to the entitlement of a health and safety representative who is employed by an employer or employs 10 or less employees to take time off work for the purpose of attending courses of training.

Clause 18 relates to the issue of default notices under section 35 of the principal Act. It is appropriate to alter the provision to ensure that a default notice can be addressed to whoever is the most appropriate person in the circumstances (not necessarily being the person who is actually acting in contravention of the Act).

Clause 19 makes a number of consequential amendments to section 36 of the principal Act.

Clause 20 amends section 37 of the principal Act in a manner that is consistent with the proposal that default notices are to be addressed to the persons who are to be required to comply with the notices.

Clause 21 makes a consequential amendment to section 38 of the principal Act.

Clause 22 relates to the issue of improvement notices under section 39 of the principal Act. Again, such a notice will be addressed to the person who is to be required to comply with the notice. That person may not in fact be the person who is, or who has taken, action in contravention of the Act.

Clause 23 will amend section 41 of the Act, as it relates to the display of improvement notices or prohibition notices. This section presently presumes that an improvement notice or prohibition notice will be issued to an employee or employers. This may not always be the case. An appropriate amendment is therefore proposed to require the person to whom such a notice is addressed to display the notice.

Clause 24 will amend section 42 of the Act. Again, this section presently presumes that an improvement notice or prohibition notice will only relate to an employer or employee.

Clause 25 makes a consequential amendment to section 43 of the principal Act.

Clause 26 will allow expiation notices to be issued by inspectors in respect of certain offences.

Clause 27 revises section 61 of the principal Act. This section relates to offences against the Act committed by bodies corporate. It introduces the concept of a 'responsible officer'. It has been decided to revamp the provision. Each body corporate carrying on business in the State will be required to appoint one or more responsible officers. A responsible officer will be required to be a member of the governing body of the body corporate resident in the State, or some other appropriate officer. A responsible officer will be required to take reasonable steps to ensure that the body corporate complies with its obligations under the Act.

Clause 28 relates to the use of codes of practice in proceedings for an offence against the Act.

Clause 29 relates to the proof of the contents of an approved code of practice, or a document applied by, or incorporated in, an approved code of practice.

Clause 30 will amend section 66 of the principal Act so that the Chief Inspector will be able to vary a notice that modifies the requirement of a regulation as it applies to a particular occupier or employer.

Mr INGERSON secured the adjournment of the debate.

ADELAIDE CHILDREN'S HOSPITAL AND QUEEN VICTORIA HOSPITAL (TESTAMENTARY DISPOSITIONS) BILL

Second reading.

The Hon. D.J. HOPGOOD (Minister of Health): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

It seeks to ensure that testamentary dispositions made to the Adelaide Children's Hospital Incorported (ACH) and the Queen Victoria Hospital Incorporated (QVH) will pass to the new Adelaide Medical Centre for Women and Children. The Queen Victoria Hospital and the Adelaide Children's Hospital were dissolved by proclamation published in the *Gazette* on 19 January 1989. By the same proclamation an incorporated body named the Adelaide Medical Centre for Women and Children (AMCWC) was established to take over their functions.

Executor Trustee and Agency Company has advised that it has prepared many wills which contain testamentary dispositions to one or other of the former hospitals. It is likely that there are many other wills containing similar provisions. The efficacy of such dispositions is now in doubt. The Crown Solicitor has advised that, although it may be that legacies to the Adelaide Children's Hospital and the Queen Victoria Hospital will take effect in favour of the AMCWC executors who did not ask for the directions of the Supreme Court would be taking a great risk.

The Crown Solicitor has further advised that the dissolution of the Queen Victoria Hospital and the Adelaide Children's Hospital will result in a number of applications to the Supreme Court for directions, that this process will be expensive for the estates concerned and that there is no guarantee that the court will find that gifts to the two former bodies will pass to the AMCWC.

In the circumstances it is considered appropriate to pass legislation to ensure that testamentary dispositions to the Queen Victoria Hospital and the Adelaide Children's Hospital will pass to the AMCWC. (Similar legislation was passed in 1986 in the form of the Little Sisters of the Poor (Testamentary Dispositions) Act. I commend the Bill to members.

Clause 1 is formal. Clause 2 provides that the measure will be taken to have come into operation on 19 January 1989 (the day on which the proclamation under the South Australian Health Commission Act 1976, dissolving the Adelaide Children's Hospital and the Queen Victoria Hospital and incorporating the Adelaide Medical Centre for Women and Children was made).

Clause 3 provides that certain testamentary dispositions referred to in subclause (1) will be taken to be dispositions in favour of the Adelaide Medical Centre for Women and Children. Subclause (2) is designed to ensure that the execution, before 19 January 1989, of a disposition of a kind referred to in subclause (1), in a manner contrary to that subclause, is not invalidated by the retrospective operation of the measure. Subclause (3) ensures that surrenders and releases effected by testamentary disposition are included in the measure.

Dr ARMITAGE secured the adjournment of the debate.

RURAL INDUSTRY ADJUSTMENT (RATIFICATION OF AGREEMENT) BILL

Adjourned debate on second reading.
(Continued from 7 November. Page 1644.)

The Hon. LYNN ARNOLD (Minister of Agriculture): I wish to continue my remarks in closing the second reading debate. A number of questions were raised yesterday by members which I referred to the Rural Assistance Branch for further advice, and I would like to share with members the information that I have received. Questions were asked about the details of the Rural Finance Development Division (RFDD) staffing levels, and I advise that the RFDD assessors have been working overtime since August of this year. The division for the first time in several months now has a full complement of seven assessors to handle the workload. The level of applications being submitted to the division is constantly reviewed, and additional assessors will be employed should the need arise. The major intake of applications is likely to occur from December 1990 to March 1991 when farmers have received their wheat and wool cheques.

With respect to the issue of councils seeking slaughter compensation, members will be aware of the article that appeared in today's *Advertiser* concerning the Australian Wool Corporation's surplus sheep slaughter scheme. I have previously made a statement in this House with respect to the State Government's position on the turn-off of sheep.

In relation to the number of loan applications that are being approved, I will seek leave shortly to have some figures inserted in *Hansard*, but I am able to say that while the figures from 1 January 1989 are not available at this stage—they will be provided in supplementary form—the figures from 1 January 1990 to 30 September 1990 show that about 32 per cent of applications are being approved by the division with some 68 per cent being declined for RAS Part A applications.

Of the applications for commercial rural loans, around 55 per cent are being approved currently; therefore, some 45 per cent are being declined. That excludes, both in the RAS Part A and commercial rural loans, those applications that are withdrawn. With respect to bad debts, the Rural Finance and Development Division has adequate provision set aside to cover the anticipated level of bad debts and, up to 30 June 1990, some $4 million was provided for that division. I acknowledge the comments made by the member for Goyder that other financial institutions, including banks, have put on record very large bad debt provisions—almost record bad debt provisions. With the current rural downturn and the subsequent effect on land prices, there could well be an increase in the division's bad debts, and the situation is being monitored constantly as to the losses that might be sustained in this area.

On the matter of farming leasehold land not getting RAS funding, I advise that I will provide further information on that matter shortly. I am in further discussion with the RFDD on that matter. On the question of the RFDD's competing with banks, I acknowledge that some important points must be made. As Minister, I have quite happily presided over the fact that the RFDD competes in the commercial rural loans sector, because I believe it provides a lever on banks to reduce the interest rates that they charge. I am concerned at the advice that most banks in Australia charge a 2 per cent to 3 per cent premium on farm loans. That is objectionable. Pressure should be put on banks to reduce the premium that they charge to the rural sector. There is no justification for it and, to the extent that the commercial rural loans rate that is charged by the RFDD provides such a pressure, I am happy as Minister to preside over that situation.

On the matter of the other elements of rural assistance, which is a different area of finance, I suggest that it has been an accepted procedure that these concessional rate loans should be provided. This Government has been quite happy to support that. Comments have been made to me that, when the State Government introduced its home interest subsidy scheme, no such scheme was available for farmers. The point I made in return is that we do have the lower than normal private sector commercial rural loans facility, which is substantially lower than the home mortgage rate was at the time of the last State election and has been lower for many months since. We have also had the Rural Assistance Scheme, which provides either 10 per cent or 12 per cent interest up to three years, and that is lower than any concessional scheme available under the State Government housing scheme.

The member for Flinders asked whether the original interest rates of the RFDD have changed. I refer him to the statements that I made with respect to the lending level of $150 000 going up to 12 per cent for the first three years and the other $100 000 remaining at 10 per cent. The scheme that we had in place for some years with respect to special Eyre Peninsula borrowings at 8 per cent has been terminated. However, those farmers remain eligible for the 10 per cent and 12 per cent rates. We have to be careful in terms of the amount of money that would be taken up within any scheme because, ultimately, there must be some sense of a revolving fund, that is, using repayments that have been previously received to fund ongoing borrowings, to an extent, of course.

On the matter of land value, I advise that the RFDD's current lending policy is to take a long-term view on this matter. Assessors look to an average figure based on production or dry sheep equivalent. For example, assessments made during the 1988 drought were based on $40 per productive acre. That was at a time when that would not have been received by those properties, but it took account of what a normal range of years would have provided.

The member for Flinders also asked whether loans repaid by farmers are lent to the farming community or whether they are put back into general revenue. Loans repaid by farmers are recycled, that is, they are paid into the special deposit account of the RFDD and lent again to farmers. No surpluses generated by the RFDD are repaid to Consolidated Account. The only moneys that have been repaid have been previous loans made available under the natural disaster relief arrangements.

The Commonwealth will provide support to the Rural Adjustment Scheme in 1990-91 as follows: Part C, $1.394 million; administration, $596 000; interest subsidy, existing, $6.03 million; and interest subsidy, new, $78 000; making a total of $8.799 million. I have approved as Minister for this State a total lending program for 1990-91 of $34.5 million for the RFDD. The RAS lending level of $20 million is to be reviewed in December 1990, as to whether that level of funds will be adequate. I made the point previously that the subsidy level that was provided by the Commonwealth last year would have been totally inadequate to meet the lending program this year and even the current subsidy rate from the Commonwealth is not adequate to meet the lending program that I as Minister have approved, but I will not let that stop me from approving a lending program that is adequate to the needs, as we service them, of the rural community.

If we do have to up the scale of the program in December this year, of course we will do so. At the same time I am putting a very strong case to the Commonwealth that we should have a more certain provision with respect to the interest subsidy we are to receive from it and I suggest that a triennial interest subsidy scheme should be available. I am pleased to note that the subsidy provided this year was double last year's rate but I repeat it is still not adequate to meet the lending program that I as Minister have approved. That means that there will be a draw-down on the accumulated surpluses of funds held under the auspices of the RFDD.

I have some figures relating to applications and their status, those that are on hand, those that have been processed, those that have been declined, those that have been approved and those that have been withdrawn, from the period 30 July to 30 September. I have asked for other figures for the past financial year and I hope they get here in the next few minutes. I will then seek leave to insert them in *Hansard*. I seek leave to have this first set of tabular statements inserted in *Hansard* without my reading them.

The SPEAKER: Are they purely statistical?

The Hon. LYNN ARNOLD: Yes, Sir.

Leave granted.

Summary of Current Applications as at end September 1990.

	On hand at start	Applications received	Applications processed	On hand at date
RAS (Part A)	60	30	31	59
Commercial	10	14	16	8
RIAD	1	0	0	1
Re-establishment	7	3	1	9
Household support	0	2	2	0
Total	78	49	50	77

Dissection of Applications Processed for Month.

	Declined	With drawn	Approved	$ Approved
RAS-SFBU	0	0	1	120 000
RAS-other	16	2	12	959 200
Commercial	5	0	11	947 000
RIAD	0	0	0	*3 000
Re-establishment	0	0	1	31 838
Household Support	0	0	2	6 120
Total	21	2	27	2 067 158

* Additional money approval only.

Dissection of Applications Processed for Year to Date.

	Declined	With drawn	Approved	$ YTD
RAS-SFBU	3	0	1	120 000
RAS-other	69	10	30	2 563 200
Commercial	17	4	21	2 071 000
RIAD	0	0	2	63 000
Re-establishment	0	0	6	187 403
Household Support	0	0	4	13 326
Total	89	14	64	5 017 929

The Hon. LYNN ARNOLD: These tables give specific information as to what has happened this financial year and, as soon as I receive the other information, it will show comparative data, at least to the extent that this quarter of this financial year can be compared against a four quarters series in the previous financial year. They will reaffirm some of the statements I have made concerning the advice I have received from the Rural Finance and Development Division. They will also include a set of figures that detail what has been happening with respect to the various regions of the Department of Agriculture and, of course, a number of comments have been made about what assistance has been made available, for example, to the Eyre region, the Murraylands, and the central, northern and south-eastern regions. That information will help dispel many of the rumours about what is actually happening under rural assistance. The figures also include the number and value of loans that have been discharged. Again, I hope to have the information available as soon as possible for the previous 12 months. I do not know what has happened to that information at this stage.

The other point I want to make is that the Government has put in place what it promised to do before the last election, namely, a two-tier committee structure with respect to rural assistance. First, the appointment of a ministerial advisory committee brings together expertise from the finance sector, the farming sector and from departmental sources, and I understand that the first meeting of that committee is to take place in early December. I am advised that this will be the first time the various members will be able to meet together. I have been referring a number of matters to the committee of a policy nature from the questions asked in this place and from other matters that I have had referred to my attention separately. I believe that a number of the policy issues raised in this place are genuinely worthy of consideration by that committee. I have asked that the first meeting be timed so that I will be available to meet with it to discuss those matters, because we do see this committee as playing an important role in providing policy advice to the Rural Finance and Development Division.

I understand that the screening committee is now formalised and should be undertaking its operations, although at this stage I am not able to advise whether or not that committee has met or determined a format of meeting to handle applications. Other matters raised by honourable members referred to the severe nature of the rural downturn affecting this State, and I repeat what I said last night that the South Australian Government is indeed concerned about the situation. We have done our best to persuade the other powers that be of the importance of the issues and will continue to do that, and we will be arguing the case with the Federal Government. I can advise that all I can do is reiterate the words of the President of the UF&S, who believed that the efforts we made with John Kerin last week were very constructive, positive and forceful in putting the case of the South Australian farming community. We will continue to do that and to recognise that the farming community is a diverse community with different needs in different areas and that those different areas vary quite widely from the citrus industry, for example, to the wheat, wool, barley and other industries.

We have tried to avoid joining the Hanrahan school of thought that tries deliberately and almost with a relish to talk down the rural sector, rather to take on board what are very serious problems indeed and do what we can constructively to meet their needs and recognise that the issues that are complicating matters for the rural sector are very complex indeed, fomented most of all by the severe downturn in rural prices on the international commodity markets. That downturn is substantially the product of trends which are beyond our control but some of which, hopefully, will be addressed in the Uruguay round of the GATT negotiations. Of course, we share with farmers their great frustration at the outrageous behaviour of certain foreign

Governments in terms of the subsidising they allow on agricultural commodities. I would say without a shadow of a doubt that the 30 per cent subsidy offered by the European Ministers at the GATT round is a farce. If they believe that that will lead to a reasonable trading environment, they are sadly mistaken: that will lead to a total change of direction in many countries and this country itself will have to re-examine its position in terms of the international share trading environment.

Secondly, international commodity prices are affected by the rate of exchange of the Australian dollar, and that has exacerbated the problem. Of course, we are very pleased to see that there has been an easing back of the dollar from the US83c mark to about the US78c mark, and that clearly produces at least some modification of the downturn effect. Interest rates have been a major problem for many Australian farmers but, again, while we certainly have made that point very clearly to the Federal Government, we had also identified that, unless we can address the international trading terms issue and successfully get on top of that, we really are dealing at the fringes of the problems facing many producers in this country. We will continue to monitor very closely what is happening in that international area.

This Government is not a proponent of unbridled free trading it is a proponent of fair trading: we believe we should have a fair trading environment for producers in this country, be they in the primary sector or the secondary sector, competing against fair trading practices in other countries in the world. We will continue to push that point of view very aggressively. I seek leave to insert in *Hansard* tables of figures as at the end of June 1990, which are the same general figures that relate to the first quarter of this year. I assure you, Mr Speaker, that they are statistical.

Leave granted.

RURAL ASSISTANCE BRANCH

Summary of Current Applications as at end June 1990.

	On hand at start	Applications received	Applications processed	On hand at date
RAS (Part A)	58	40	36	62
Commercial	16	14	16	14
Other	1	0	1	0
Re-establishment	4	11	9	6
Total	79	65	62	82

Dissection of Applications Processed for Month.

	Declined	Withdrawn	Approved	$ Approved
RAS-SFBU	1	2	1	170 000
RAS-Other	15	8	9	575 000
Commercial	3	2	11	761 000
Other	0	0	1	18 500
Re-establishment	0	3	6	175 037
Total	19	15	28	1 699 537

Dissection of Applications Processed for year to date.

	Declined	Withdrawn	Approved	$ YTD
RAS-SFBU	5	6	35	5 582 285
RAS-other	156	36	149	11 924 000
Commercial	23	9	68	7 694 000
Other	12	0	23	650 840
Re-establishment	1	3	34	989 213
Total	197	54	309	26 840 338

Further statistical information relating to applications, loans discharged decisions on consent matters, and settlements too detailed for inclusion in Hansard.

The Hon. LYNN ARNOLD: I thank honourable members for their contributions and their indication of support for this matter and we will deal with a number of other questions in Committee.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

The Hon. LYNN ARNOLD: I move:

Page 1, line 16—Leave out '1 January 1990' and insert '1 January 1989.'

I wish to acknowledge that the shadow Minister gave us assistance in identifying this important technical matter. I acknowledge his role in that. The amendment takes into account a proper interpretation in a legislative sense of the matter now before the Committee.

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4—'Repeal.'

Mr MEIER: I believe that funds in respect of tree pull schemes came from the Fruitgrowing Industry (Assistance) Act 1972. I seek clarification that that is the case. As that Act has now been repealed, whence will future funds come for tree, vine or similar pulls?

The Hon. LYNN ARNOLD: The answer to the first question is 'Yes'; funds were provided under the auspices of that Act. The answer to the second question is that, if there were to be a further scheme to authorise a tree pull, it would have to be the subject of separate legislation. There is not such a scheme under way at this stage.

Mr MEIER: That information causes me concern, because often such things have to be enacted reasonably quickly. Can the Minister indicate what sort of legislation would have to be introduced to provide for such a scheme? Would another Bill have to be brought before Parliament or could action be taken under this Bill, which deals with rural assistance generally? Could this legislation be amended to provide for such a pull scheme?

The Hon. LYNN ARNOLD: I take the point raised by the honourable member. This measure is part of a formal agreement reached with the Commonwealth to tidy up the agreement and it is in that complementary sense that this matter is now being pulled out. I can assure the honourable member that, if there were a need to introduce a new appropriate measure, which would undoubtedly require new wording to take account of the circumstances which would apply in the 1990s and which would be quite different from those applying in the 1970s, we would move as expeditiously as possible. It should also be noted that a tree pull scheme is not something that is likely to require legislation within 48 hours, because it is a program that would run over a considerable period of time.

I can imagine that there are some other types of Government assistance that might need a much more urgent response because we are dealing with an immediate reaction that might be needed. I am advised that none of that relates to the provisions that are being closed as a result of the repeal of the Fruitgrowing Industry (Assistance) Act.

Clause passed.

Clause 5 passed.

Schedule

Preamble passed.

Paragraphs 1 and 2 passed.

Paragraph 3—'Interpretation.'

Mr MEIER: I seek information about the definition of 'aquaculture', which obviously includes oyster growing. The

Minister would be aware, more in his capacity as Minister of Fisheries than as Minister of Agriculture, that there are considerable problems confronting growers in the oyster growing industry. Are oyster growers eligible to obtain rural assistance and, if they are, how many have sought assistance?

The Hon. LYNN ARNOLD: I am advised that there has been at least one approved application from an oyster grower under the terms of this assistance scheme. The inclusion of aquaculture in the schedule did incorporate oysters even before that application because of the Tasmanian situation, so, inasmuch as this is complementary legislation and the schedule is similar to that which applies in other States, it had already been effected. What I had not been certain of until just now was the situation in South Australia, but I am advised that one application has been approved for assistance under the Rural Assistance Scheme.

Mr MEIER: Can the Minister advise whether oyster ventures are generally conducted on leasehold or freehold land, bearing in mind that they are conducted in water? Rural assistance was refused to a farmer who runs leasehold land, the reason being that the branch could not lend in respect of leasehold land. What is the position with oyster growing and aquaculture generally if people operate on leasehold land?

The Hon. LYNN ARNOLD: My advice is that the application was approved on the freehold component of an oyster venture operated by the applicant, although the applicant did also have an area of leasehold oyster farming. As to the leasehold question, it is something that we will be reviewing because it has been raised by a number of sources, including the honourable member. The one application approved was a freehold related application.

Mr MEIER: I refer to the definition of 'the scheme'. In his second reading explanation the Minister referred to financial flexibility and stated:

> The new agreement allows provision of assistance similar to that of previous rural adjustment schemes but with increased emphasis on adjustment, greater managerial and financial flexibility and therefore increased accountability for the States and Northern Territory.

Can the Minister enlarge on what he means by 'increased emphasis on . . . financial flexibility' and how it would operate? Further, the Minister stated:

> There have been refinements to the funding arrangements and major changes to some assistance measures although subsidies and grants provided by the Commonwealth continue at the same rates as in the previous scheme.

Can the Minister elaborate on what he means by 'refinements to the funding arrangements', which I believe relates to the scheme?

The Hon. LYNN ARNOLD: Increased flexibility is part of the process of devolving more and more responsibility and, alongside that, accountability to the States under rural assistance. What this scheme represents is an acknowledgment by the States that we accept that increased responsibility and flexibility, at the same time accepting the increased accountability that goes with it. The very fact that we have increased the lending limit from $100 000 to $150 000, which I announced recently, was part of such an example. Previously, as I understand it, it would not have been within the ambit of a State Minister to make that particular decision without direct communication with the Federal Minister and approval from that Minister.

Now, we were able to make that decision and we were able to make the effective decisions with respect to interest rate schedules that apply to the various parts of rural assistance. I believe that that is a very positive element of this scheme, that we can try to attune it to the needs of the local community. Indeed, the ministerial advisory committee that we have now put in place would be less effective if the policy recommendations it is likely to come up with were to require a labyrinthine process that would need, first, the concurrence of a State Minister and then obviously the concurrence of a Federal Minister who would have been required to seek the advice of the Federal bureaucracy before giving that concurrence.

In the situation we are facing, we are wanting to have a well managed, efficient financial operation, and this scheme gives us the opportunity to have that by giving us the flexibility while, at the same time, ensuring for the community that accountability questions are certainly preserved.

Paragraph passed.

Paragraph 4—'Purpose of scheme.'

Mr MEIER: I thank the Minister for providing that information, some of which was statistical or tabular. I am not fully familiar with what was in it as the Minister is not the slowest speaker in this House and I did not get down all the figures. Will he inform me if that information has already been tabled in *Hansard*? I know that the Minister gave percentages in relation to approvals and disapprovals, but I ask whether he has the figures available for those who have applied since 1 January 1989 in each case. Will the Minister highlight them again?

The Hon. LYNN ARNOLD: I was speaking rapidly in order to abide by the agreement that we had, that I would not take a lengthy time over my second reading reply but, at the same time, try to give members as much information as possible. What I also said is that we do not at this stage have the figures from 1 January 1989, although we will obtain those at a later stage. What I did table in *Hansard* were figures from 1 July 1989 to 30 June 1990 and from 1 July 1990 to 30 September 1990. I have a spare copy of that for the honourable member.

The answer I now give relates to the financial year 1989-90. Under the rural assistance special fund build-up, five applications were declined, six were withdrawn and 35 were approved, representing a total of $5.582 million. Of the other lending programs under rural assistance, 156 were declined, 36 were withdrawn and 149 were approved, representing a total of $11.924 million. Under the commercial rural loans scheme, 23 were declined, nine were withdrawn and 68 were approved, representing a total of $7.694 million. Of the other sorts of loans, 12 were declined, none was withdrawn and 23 were approved, representing a total of $650 000. For re-establishment loans, one was declined, three were withdrawn and 34 were approved, representing a total of $989 000.

For the year 1989-90, 197 applications were declined, 54 were withdrawn and 309 were approved, representing a total lending program of $26.84 million. I have not yet had returned from *Hansard* the figures for the first quarter of this year to read again, but I think that that information indicates the general rate of application and rejection.

Mr MEIER: I refer to information that was given to me some months ago, soon after I became the shadow Minister. This document, which I think is someone's viewpoint on rural assistance, states:

> There has been a gradual shift away from the traditional lender of last resort role to a subsidised commercial bank role playing a larger part in rural lending, which is expected to expand from a $110 million lending portfolio as of 31 December 1988 to in excess of $200 million in the next few years.

The Minister in reply indicated that the State was making some $34.9 million and that the Commonwealth was making some $8.79 million, but these figures do not equate anywhere near the $110 million as of 31 December 1988 going to an excess of $200 million in the next two years,

which I guess we are nearly at now or will be at in the next year. What figures are we looking at in total annual terms? Has there been a reduction or an increase over the past two to three years in relation to the West Coast drought?

The Hon. LYNN ARNOLD: We have actually seen an increase in the portfolio of loans held by the RFDD. It has gone from about $110 million in 1987 to about $130 million now—an increase of about $20 million. That, of course, is the total portfolio of loans outstanding. It is a function of two things particularly: one is the new loans written less those loans retired. In the figures I have had incorporated in *Hansard*, I have actually given an indication of loans that have been retired in the past financial year. The lending program that I have approved for this year is $34.5 million, although the final outcome for the year is too early to give because we do not know what will happen, and I have undertaken to review the situation in December this year.

The honourable member should recall that when loans are written they have three years on the 10 per cent or 12 per cent interest coupon, and that coupon then reverts to what we define as the commercial rate. Therefore, many farmers seek to retire those loans at the beginning of the third year. So, it is hard to pick up what exactly will be the future retirement rate. Whether or not the portfolio will ever increase to $200 million, it is not possible to say. But I guess I would consider that relatively unlikely. That would require two things to have happened. First, there has to be a need for a major expansion of the lending program and, as a State Minister, I have been prepared to go beyond the level that is supported by Commonwealth subsidy, and obviously there are limits to which that can be done.

So, while we will review it, clearly we could not take a $34.5 million lending program to a $70 million lending program. But, it is also a function of the rate at which those who have loans may choose to repay them. If they were to slow down substantially within the approvals—and they do have an approved time limit—if they were to go beyond the three-year limit for the majority of those loans, they would have to do so at a vastly different rate from what we have seen in recent years to see the total portfolio get anywhere near $200 million, I would have thought. So, I would not see that figure as being a likely figure, but we will review that situation from time to time.

Paragraph passed.

Paragraph 5 passed.

Paragraph 6—'Strategies.'

Mr MEIER: I sometimes have trouble identifying loans under paragraph (3) *(a)*, *(b)* or *(c)*, but I think subparagraphs *(b)* and *(c)* are clearly identified in this paragraph. My questions relate mainly to subparagraph *(c)* with respect to household support. Is household support a oncer? In other words, if a farmer has received it once, albeit three years ago, and has not used it all, but times have become tough and he reapplies, can he obtain it again? In the current situation, is it available to farmers who presently have a negative income but who should be all right again next year? If they receive household support, what conditions are placed on them? Do they have to put up their property for sale, or are they able to receive the household support if rural assistance recognises that they will probably be viable in 12 months? In other words, is it as stringent as some people have said, that if you receive household support you have had it? You have put up your property for sale because you do not have an option.

The Hon. LYNN ARNOLD: If a farmer was deemed to have the potential for viability but has a shortfall at this stage, an application for debt reconstruction would be made in lieu of an application for household support, and hopefully that application would be approved if the property was determined to be viable. As to whether or not someone can get household support twice, what would be required is for a farmer to have been approved for household support, which means they are given a support mechanism to enable them to leave farming. They then do so and obviously do something else. To receive it twice, they would have had to come back into farming and reach a situation where they have had to leave it again, and apply for household support to help them in that leaving process.

It is technically possible but, I guess, improbable because, if one believes that a farmer has the potential to stay in the industry, and if there is an inherent viability, there are other elements in the scheme that try to assist their staying there. Household support essentially is about those who are leaving the industry and presumably will stay out of the industry. But if they later make a decision that they could make a better go of it, maybe in a different agriculture sector, and fail again, they could certainly lodge an application, but I would not want to say that it would be accepted automatically because the situation would probably be unlikely.

Mr MEIER: That is an interesting answer because an example cited to me in the Riverland last week concerned a blocker who had received household support some three years ago, had remained on the block, seen things improve, but was now facing a very desperate situation in the current crisis and had reapplied for household assistance. Rural assistance has said, 'No, you received it three years ago; you are no longer eligible. You will have to get off, and we can't help you at this stage.' Exceptions already exist.

The Hon. LYNN ARNOLD: If someone is deemed eligible for household support, it means they are adjusting out of farming. If they leave farming, the money they receive as household support becomes a grant, and that finishes them up. It really is a recognition that, if somebody loses a job in industry, they can apply for unemployment, I guess, whereas, if they lose their job out of farming because the climate was such that they were just no longer at all viable, they cannot reasonably apply for unemployment in the vast majority of cases. Household support is about assisting that situation.

It really requires that they have adjusted out of the rural sector and someone else has taken over that productive capacity. If they do not adjust out—in other words, if they receive the household support and stay in farming beyond the maximum of 30 months that household support is available and keep on farming—that situation is treated not as a grant but as a loan, and ultimately they have to repay that loan. It would not be possible for someone to have done that, finish the 30-month period, carry on farming, have it converted to a loan and come back again for a household support consideration. They would be told, 'You have had your approval to adjust out of farming. You can't have it twice.' In the situation I referred to earlier, they had adjusted out, did something totally different, came back into farming again and sought to adjust out. Technically, it would be possible to have a second application considered, but that would be a highly improbable situation.

Mr BLACKER: If farmers realistically can no longer continue farming into the next financial year, they either must wait for the crunch to come and be forced out or voluntarily make that move. If they voluntarily make the move and put the property on the market, does that preclude them from being eligible for a re-establishment grant, when it is known full well that there is absolutely no asset left?

The Hon. LYNN ARNOLD: My advice is that a re-establishment grant is not normally paid until such time as there has been a selling up of the assets of the producer.

Mr BLACKER: As a further point of clarification, would the eligibility criteria be affected and would it be necessary for the person leaving farming to actually have a forced sale situation to be eligible for the re-establishment grant, or could they voluntarily say, 'Enough is enough, I have to get out' and, having sold up totally with no assets remaining, realise that they may not be eligible for such a grant?

The Hon. LYNN ARNOLD: My advice is that the forced or voluntary nature of the sale is irrelevant to the receipt of the re-establishment amount. Other criteria may come into play but one does not have to be forced to have sold to be eligible.

Paragraph passed.

Paragraphs 7 and 8 passed.

Paragraph 9—'State to operate scheme.'

Mr MEIER: I appreciate the Minister's information earlier on the number of rural assistance officers operating. Have we had more than seven officers in the past two years? The Minister said that more could be added, according to need: has he any plans to put on more officers before Christmas?

The Hon. LYNN ARNOLD: As I indicated, the situation is subject to review. The number that we have on board at the moment is the highest, but clearly the situation will be reviewed in the future. We must be careful to recognise that important administrative procedures will have to be undertaken to provide this rural assistance service, and this will require a number of administrative costs, including the cost of employing assessors.

On the other hand, we have to keep this scheme as financially efficient as possible, and this includes such elements as being as cost-effective as possible to farmers. In other words, we have to maximise the benefits that we get from interest subsidies and optimise the size of the loans available to try to approve, within borrowing possibilities, a reasonable number of applications. Of course, not all applications should be approved, therefore we do not automatically say, 'Yes, we will put on more assessors to do the assessments', because there is a cost for all of that. The situation has expanded: there are now more assessors, and we will review the situation again in December. If it becomes necessary again under the same criteria that caused the expansion in recent times, it will happen again. We will not automatically appoint more assessors because it gives us a nice feeling, as ultimately it may be a cost on the financial efficiency of the whole scheme.

Paragraph passed.

Paragraph 10—'Forms of assistance to those engaged in rural industries.'

Mr MEIER: Paragraph 10 (2) provides, in part:

> Subsidies paid under this subclause shall not exceed 50 per cent of the interest payable on, and associated costs of, such loans and the State shall bear half the cost of the subsidies out of its own funds.

I must not confuse this provision with the Primary Producers Assistance Act which provides drought relief, but the Minister may recall that at the last State election the Liberal policy was to implement a subsidy system whereby rural producers would have to pay 4 per cent on their loans, and that money could come from a variety of sources. If it came from rural assistance, it was proposed that an interest rate of, say, 16 per cent would be subsidised to 4 per cent; in other words, a 12 per cent interest rate subsidy which, if my mathematics is correct, is a subsidy of about 300 per cent. Would this stipulation that the subsidy shall not exceed 50 per cent prohibit such a scheme from coming into operation?

The Hon. LYNN ARNOLD: As I understand it at the moment, there are only two instances of Part B lending in this country: one in Western Australia and one in Queensland. One of those subsidies is for $200 000 and is related to pesticide infected land. By and large, this part of the scheme, which we know essentially as Part B lending, has most often been connected with drought assistance. It is the subject of significant review by the Commonwealth, and the paper released a couple of months ago on drought assistance throws up for discussion this whole area. It is highly likely that this area of assistance will cease to be available in the form that we know it after the various States and the Commonwealth have further considered the matter. Of course, the South Australian Government has supported the general thrust of the Commonwealth's discussion paper, as indeed has the UF&S, and we will continue to make those statements publicly.

The reactions of other State Ministers will be varied, and I am not yet certain what they will be, but we will discuss this matter at a meeting of State and Federal Ministers on 12 December when rural assistance comes up for discussion again, and then more formally at the next meeting of the Agricultural Council of Ministers, which I understand will be in early February next year.

Paragraph passed.

Paragraphs 11 and 12 passed.

Paragraph 13—'Provision of financial assistance.'

Mr MEIER: My question relates to the whole of the financial assistance section. I know the Minister made some comments with respect to questions by the member for Flinders during the second reading debate, but I do not know that a specific answer was given. My question is: does the State Government Treasury profit from the lending by the South Australian Financing Authority to the Rural Assistance Branch, which administers the Commonwealth Government's rural adjustments scheme; and, if the State Government does show a profit from this operation, approximately how much profit is SAFA making from the farmers of South Australia?

The Hon. LYNN ARNOLD: No moneys are payable to State Treasury directly as a result of rural assistance. What happens is that we on-lend moneys that have been lent by SAFA, and SAFA lends that money to us at a small premium (.3 per cent) to cover its basic administrative costs involved in the lending. In other words, SAFA borrows money from the lending public and adds .3 per cent to cover its administration costs. It then lends the money to us and we lend it out. We meet all of our administrative costs from the revolving fund that is then set in train by that—

Mr Blacker: Why can't banks do that?

The Hon. LYNN ARNOLD: It is for the banks to answer that question. We come back to the point that they see fit to add a 2 to 3 per cent premium to farmers, which I think is quite outrageous. So, we lend out this money at the rates that we publish and we take advantage of the Commonwealth subsidy. Where necessary in certain years we draw on accumulated reserves to enable the program to be larger than normal if the Commonwealth subsidy is not sufficient to cover interest rate payments. In short, I repeat the answer that I gave earlier that Consolidated Revenue is not a beneficiary of any funds repaid under rural assistance. SAFA is a beneficiary to the extent that it receives that .3 per cent margin, but in fairness it could be accepted that that is entirely absorbed by its administration costs of writing the loans, drawing funds from the public in the first place and

then on-lending to us. The paperwork alone would well account for that small fee.

Mr MEIER: It has been put to me that a surplus of approximately $30 million was contained in the coffers of the Rural Assistance Branch before SAFA took over responsibility for all RAB borrowings in 1986. Will the Minister confirm whether the amount was approximately $30 million and, if so, how was that amount treated in SAFA's takeover of the Rural Assistance Branch?

The Hon. LYNN ARNOLD: As I understand it, the funds referred to were not held by the Rural Assistance Branch but by the Rural Industry Adjustment Development Fund. The funds built up as a result of surpluses in the schemes of the 1970s. Those funds were restructured within a special deposit account which now has a balance of about $16 million. So, the amount of $30 million was not part of the Rural Assistance Scheme surplus.

Mr MEIER: Is the Minister able to say what happened to that amount of $30 million as only $16 million remains?

The Hon. LYNN ARNOLD: I slightly misadvised the Committee in the last answer. That $30 million was not a surplus in the sense of having no calls upon it. Due to the schemes of the 1970s, Commonwealth debt was associated with that money, so it was eligible to be repaid to the Commonwealth. We allowed those moneys to be kept in that fund because it generated interest surpluses, which we have been using to help the whole scheme. However, there comes a point at which the debt against which that is pitted has to be repaid.

SAFA took over responsibility for the Commonwealth debt in 1986. The decision to repay part of that $30 million to SAFA to retire Commonwealth debt was made on the basis of comparative interest rates on loans outstanding and interest that we could now receive. It needs to be understood that that $30 million was never a net surplus to the Government. It was a fund held in hand with a liability associated with it. The liability was a set of Commonwealth loans. Previously, that set of loans was directly within the control of the rural assistance area.

In 1986, SAFA took responsibility for that. Therefore, that left a notional surplus in the hands of rural assistance, but it was only a notional surplus because someone somewhere had to repay that Commonwealth debt which SAFA had taken over. Naturally, the very source of the surplus would repay the debt. Surplus is a notional concept; it is not a net surplus of funds. The Government has been taking advantage of those funds to earn interest because, in partly reducing that debt by an $11 million payment earlier this year, and taking advantage of the comparative interest rate situation, we have made a $2.9 million profit for the fund.

In other words, in a very small sort of way, using the Commonwealth Government borrowings and SAFA inherited debt, we have been playing a very small money market to try to maximise the surplus funds we really have available, that is, the net surplus funds within rural assistance and the Rural Industry Adjustment Development Fund for the benefit of South Australian agriculture. We could have decided not to do that but we would have forgone the opportunity for a real surplus of $2.9 million against an illusory surplus. It is purely illusory because it must be pitted against the fact that a liability must be met, and that is the loans of old.

Mr MEIER: Will the Minister indicate what interest SAFA would have been paying on that debt?

The Hon. LYNN ARNOLD: I do not have the figures with me that were part of the approval for the transfer that I signed. Of course, it is important information that should be provided to the Committee, and I undertake to provide that before this matter is debated in another place.

Mr MEIER: I assume that the State will lend that money out at between 12 per cent and 15 per cent.

The Hon. LYNN ARNOLD: It will be lent out as rural assistance funds. If the quantum of the loan is $100 000, it will be lent out at 10 per cent and, if the quantum of the loan is $150 000, it will go at 12 per cent, and there are various benchmarks between those rates. If it goes out as commercial rural lending, it will be lent at 14.5 per cent. It will depend on what sort of loan is taken up, but the broad answer is 'Yes'.

Paragraph passed.

Paragraph 14 passed.

Paragraph 15—'Administration expenses.'

The Hon. T.H. HEMMINGS: Whilst it is well known to the Minister that I have some interest in rural affairs, my question relates to any form of assistance that the State provides to those people who, at certain stages of their business life, are in real need. Will the Minister provide information to the Committee on the kind of administration expenses that the State has incurred over the past two years?

The Hon. LYNN ARNOLD: I thank the honourable member for his question and his ongoing, active interest in rural matters. I do not have the information ready to hand for 1988-89 and 1989-90 but I will obtain that, have the information inserted in *Hansard* and have a copy sent to the honourable member. With respect to the budget for the year ahead, we anticipate that the administration costs for the scheme will be of the order of $1.7 million, of which we recoup $595 000 from the Commonwealth. That information is provided in the document I tabled earlier. The balance comes from the operations of the Rural Assistance Fund in terms of the repayments we receive and the various margins we have, plus the interest we earn on retained surpluses.

The Hon. T.H. HEMMINGS: The paragraph states that the Commonwealth will make monthly payments in advance to a State towards administration expenses of the State under the scheme as agreed between the Minister and the Minister of each State. Has the Minister any information in regard to the efficient way in which the scheme is administered in this State compared with the other States in the Commonwealth? The way I read that paragraph, it is not just an open cheque book or an ongoing reimbursement to the State by the Commonwealth. It is an agreement between the Federal Minister and each State Minister. The way I see it, the Federal Government will expect efficiencies from each State.

The Hon. LYNN ARNOLD: The Commonwealth will expect those efficiencies, and it can take ready assurance that this State is an efficient State; it always is. While a review of the efficiency of rural assistance will be undertaken at the Federal level next year, I as State Minister have no problems with that because I am confident that we will come out of it very well. We are keen to maintain a very efficient operation, and a unit that has in total 36 people presiding over a portfolio of loans worth $130 million and a lending program this year of $34.5 million is not a bad effort at all. The equivalent unit in Western Australia lends $4 million less than we do: in other words, it has a lending program of about $30 million, and it takes six more people to handle that smaller program. My advice is that we are efficient in terms of our national competition but, if the review comes up with any alternative ideas to improve efficiency, we stand ever ready to pick up recommendations and take them seriously, because we have done so in previous years.

Paragraph passed.

Remaining paragraphs (16 to 32) and title passed.
Bill read a third time and passed.

WRONGS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 August. Page 124.)

Mr INGERSON (Bragg): This Bill seeks to apply the significant limitations on damages for injury arising out of a motor vehicle accident to accidents involving a vehicle that runs on a railway, tramway or other fixed track or path. In 1986 the Wrongs Act was amended to limit the amount that might be paid for damages for injuries arising from motor accidents. The Opposition guardedly supported those amendments, because they would have the effect of limiting rises in premiums required to be paid by owners of motor vehicles for compulsory third party bodily injury insurance. The limitations imposed are set out in section 35a of the Act.

Under the 1986 amendment (subsequently further amended in 1988) an injury is not regarded as arising from a motor accident if it is not a consequence of: the driving of a motor vehicle; a collision, or action taken to avoid a collision, with a stationary vehicle; or a motor vehicle running out of control. The limitations on awards for non-economic loss are substantial and we pointed out at the time the particular difficulties in relation to quadriplegics, paraplegics and those who may be facially or otherwise disfigured. The limitations imposed by section 35a do not presently apply to any other claims arising out of negligence.

The Government now argues in this Bill that, because it is a self-insurer for personal injury claims arising out of the use of its public transport vehicles up to $1 million for any one incident and is covered by calamity insurance risk over that amount, it may result in a reduction of liability of the State Transport Authority arising out of an accident involving a train, a tram or a bus on the busway, and also a reduction in premium for calamity insurance if the same limitations as apply to motor accidents under the compulsory third party bodily insurance scheme are applied to Government transportation.

No case of significance has yet arisen where such savings could have been made, nor are the savings in insurance identified except in the case of an accident involving a train or tram where 100 passengers are injured. In those circumstances the Government argues that 50 per cent of the damages which presently could be awarded would be saved. The figure it uses is $3.75 million now and a 50 per cent reduction if the Bill passes, but that is mere hypothesis.

An important principle is involved in this Bill. Should damages for injuries arising from negligent acts or omissions or default be limited, as they are in relation to motor accidents under the compulsory third party bodily injury insurance scheme? It is my view that one cannot look at trams, trains and buses on busways in isolation from the general principle. Those sorts of vehicles have never been covered by any compulsory third party bodily insurance scheme as have motor accidents, and the Government cannot argue that it was operating within the motor scheme yet acting as a self-insurer in relation to trams, trains and buses on busways.

The law of negligence, in essence, provides that, if a person or body does something or omits to do something that would not have been done by a reasonable person or would have been done by a reasonable person, as the case may be, and loss and injury results from that failure to act as a reasonable person would have acted or not acted, as the case may be, the person who suffers loss and injury is entitled to damages which will, so far as money can compensate, compensate for that loss and injury, placing that person in a similar position to that in which he or she would have been if the negligent act or omission had not occurred. This means that, if one is rendered a paraplegic or guadriplegic, not only are medical costs payable but also costs for care, equipment, loss of earning capacity, the cost of special needs and an amount for pain and suffering are payable. That could be up to $200 000 but under the 1986 amendment and this legislation that would be amended to about $70 000.

If two trains collide, a train runs into the buffers at Adelaide Railway Station, a tram runs off the rails as a result of a poorly maintained track or a bus on a busway runs into the back of another bus on the busway, those who are injured are entitled to be compensated. When a speedboat on the Murray River negligently crashes into a swimmer, the *Island Seaway* negligently runs over a runabout in the Port River or a block of concrete falls onto pedestrians from a crane manoeuvring over a building site, if negligence can be established, any injured citizen has a right to recover damages. The limitations under the 1986 amendment do not apply to these situations, and injured persons are entitled to full compensation.

One has to ask what is so special about transport accidents that they must be treated differently from any other negligence claims and put into the same category as motor accidents covered under the special scheme of insurance. It is the Liberal Party's view that, if there is to be any further eroding of rights of citizens, the whole issue of negligence ought to be examined and not changes made on an *ad hoc* basis for the benefit of a loss-making public authority.

If the amendment is passed by Parliament, we are likely to have a situation where, for example, passengers who are injured when a train runs into the buffers at Adelaide Railway Station have a reduced entitlement to damages but, when a passenger steps off a train at Adelaide Railway Station and slips on a patch of oil and injures himself or herself, that same passenger will be entitled to sue for damages without limitation.

One other matter requires consideration. As the Bill is drafted at the moment, the limitation of liability will apply to all vehicles run on tracks or paths. The 'Mad Mouse' at the Royal Adelaide Show, a roller coaster, trams at the St Kilda Tram Museum, a ghost train, a miniature train at a school fete or a moving gantry running on a fixed track are all likely to be included. The drafting is poor.

The Liberal Party cannot accept that the rights of individual citizens who might be injured through no fault of their own whilst on busways, tramways or railways should be compromised for the sake of a possible saving by a government authority in not having to meet what, until now, had been normal and reasonable damages. I oppose the Bill.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

STATUTE LAW REVISION BILL (No. 2)

Adjourned debate on second reading.
(Continued from 5 September. Page 695.)

Mr INGERSON (Bragg): We support this amending Bill. It has been introduced to do several things, but principally

to render the language gender neutral. In almost every instance it has done that, except in the schedule (page 5). I note the following amendment:

Strike out 'his' (twice occurring) and substitute, in each case, 'the testator's';

Based on the legal advice that I have been given, I believe that it should read 'testator or testatrix'. Here we have the amending Bill not doing what it really set out to do. I bring this matter to the Minister's attention and hope that as soon as possible that error, which has been pointed out to me by my legal colleagues can be rectified. Unless that is done, the gender neutral language will not be completed. I ask the Minister to check whether that has occurred in other instances. It is a matter of using gender neutral terms or referring to both genders in any explanation that is required? The Opposition has perused the Bill at great length and is willing to support it.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure, which tidies up a number of statutes and allows for the Parliament to attend to statute law reform in an orderly manner. The member for Bragg has raised a pedantic point. The legal advice that he has received can be described as old fashioned. My advice is that the matters before us have been thoroughly scrutinised and that the language is appropriate, acceptable and clearly understood in the administration of justice in our community. To comply with the honourable member's request would be to further complicate or overly indulge in legalese.

It was reported in the press in the past few days from another jurisdiction that to engage in long, convoluted and detailed explanations does not often clarify the law and can simply serve to make it unintelligible to the ordinary person in our community and not be of any great assistance to our courts, lawyers and those learned in the law in their interpretation and pronouncements of the law.

Earlier today I circulated some amendments that are in two parts. The first object of these amendments is to add a further schedule to the Bill in order to make various amendments to the Strata Titles Act 1988 so that it may be reprinted as soon as possible. There has been a request that that important piece of legislation be reprinted, and this is an opportunity to provide that schedule and to allow for reprinting in the most up-to-date form. As members will be aware, the Act was heavily amended earlier this year and those amendments have only recently been brought into operation. Before a reprint can be issued, divisional penalties must be incorporated into the Act and the proposed fourth schedule contains these and several other minor statute revision amendments.

The object of the amendments to be moved to clause 2 is to provide that the second schedule to the Bill will be deemed to have come into operation on 1 August 1990. The second schedule corrects a small error that occurred in the previous Statute Law Revision Act which extensively amended the Legal Practitioners Act. The Law Society of South Australia has asked that this correction (which deals with powers of auditors and inspectors, a quite important section of the Legal Practitioners Act) be back-dated to the date on which the last lot of amendments came into operation, so that no question can be raised as to any action taken under section 35 (1) since August 1990. I commend the Bill and these amendments to the House.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

The Hon. G.J. CRAFTER: I move:

Page 1—

Line 13—Leave out 'third schedule' and insert 'second, third and fourth schedules'

After line 13—Insert new subclause as follows:

(1a) The second schedule will be taken to have come into operation on 1 August 1990.

Line 14—Leave out 'schedule' and insert 'and fourth schedules'.

After 'day' insert 'or days'.

I explained the purpose of these amendments in my second reading reply.

Amendments carried; clause as amended passed.

Clause 3 passed.

First and second schedules passed.

Third Schedule.

Mr INGERSON: In my brief second reading speech I referred to 'testator' and 'testatrix'. The Minister commented that the draftsperson had advised the Government on this matter. However, I refer the Minister to the report of the Legislative Council Select Committee on the Adelaide Children's Hospital and Queen Victoria Hospital (Testamentary Dispositions) Bill 1990 and the following recommendation:

Special provision relating to gifts over, etc.

4. Section 3 does not operate to defeat the intention of a testator or testatrix who provided that, should the beneficiary cease to exist, the disposition was to lapse or was to be in favour of some other person or body.

I assume that counsel drafted that recommendation and in that case both testator and testatrix were mentioned. Can the Minister further explain why use of that nomenclature should not be continued? I would assume that legal advice was given to the select committee. Why does the Minister's advice to the Parliament in the second reading stage contradict the contents of the report of the select committee?

The Hon. G.J. CRAFTER: I noted the comments of the honourable member in the second reading stage. I can advise him that the Act to which he refers clearly mentions, in the context of the word 'testator', 'his or her will', and so on. That language is used. There is no presumption that one can draw that the word 'testator' refers to only one gender. Very clearly it is intended that it refer to both gender, that it is, in fact, a gender neutral term, and it represents an attempt by the draftsperson to use language which can be understood by the community and which complies with what are prevailing community uses of those words. The aim would be not to tie the statutes down in legalise so that only those people with legal training could interpret the provision to the general community.

It is important that statutes of this type can be clearly understood by all people in the community. They are brought down by this Parliament for the benefit of the community to provide clarity and assistance in matters affecting affairs of those concerned. So, the Bill has been brought down in this spirit. The honourable member's point would have been valid in years gone by, but I suggest that that no longer need pertain in our community today.

Mr ATKINSON: I am disappointed that the third schedule erases the distinction between 'shall' and 'will'. It is a useful distinction and a distinction that has been in our language for centuries. I do not believe that erasing the distinction serves the cause of plain language. Furthermore, I believe that substituting 'will' for 'shall' in all places in the Wills Act, where a particular confusion can arise, is not a sensible move.

The Hon. G.J. CRAFTER: I thank the honourable member for his most perceptive comment. I can add this to his comments for the benefit of the Committee. The English verb has a separate imperative form only in the second person. This has led to the use of the verb in its future

form as an alternative to the present imperative in the second person and as the only form of the third person imperative. Hence, a parent dealing with a recalcitrant child might say, 'Go to your room immediately!' (present imperative); or, alternatively, 'You will go to your room immediately!' In the second case the form of the verb is future, but it conveys the sense of the present imperative. In the third person an imperative can be expressed only in this latter way. Hence an admiral might convey a present command by saying, 'The fleet will sail immediately.' In this respect English compares unfavourably with, say, Ancient Greek in which the verb has an optative form, that is to say, a form specially adapted to the expression of wishes and commands.

The auxiliaries 'shall' and 'will' are used to form the future tense and also to form the present imperative or optative. The traditional rule is that, in forming the future tense, 'shall' should be used in the first person and 'will' should be used in the second and third persons. Hence 'I shall go' but 'You will go', 'He or she will go'. In forming the optative or imperative mood, this usage is reversed. However, as Fowler points out, the observance of these rules is an idiosyncrasy of the English in England; the rule has never been observed in Ireland, Scotland or the colonies, except perhaps in certain ultra-conservative enclaves like the legal profession.

The Wills Act, like most other statutes, contains a number of imperatives expressed in the third person and it is in these that the substitution of 'will' for 'shall' is proposed. Fowler makes it clear that, in this particular usage, even the most blue-blooded of conservative Englishmen may legitimately prefer 'will' to 'shall'. Fowler's text is as follows:

> Here the English of the English differs from the English of those who are not English. The idiom of the former may be roughly summarised thus: that in the first person shall is the 'plain' auxiliary and will the 'coloured', and in the second and third persons it is the other way about. 'I shall see him tomorrow' implies no more than that that event will occur; 'I will see him tomorrow' implies that I intend to do so. Conversely 'You (or they) will see him tomorrow' implies no more than that that event will occur; 'You (or they) shall see him tomorrow' implies promise or permission. That bare summary gives a very incomplete picture; dividing lines are blurred and broached, as for instance by the emphatic 'shall' use in the first person ('You surely won't do that'; 'Indeed I shall') and the use of will in the second and third persons in giving formal orders ('You will proceed at full speed to . . .'; 'The company will attack at dawn').

Hence, even on the most conservative principles of English English, 'will' is the appropriate auxiliary to indicate the imperative mood of a formal command. Over the past few years a strenuous effort has been made to bring the language of South Australian statutory law into conformity with the ordinary standards of cultivated Australian English. In Australia 'shall' has passed out of common usage and its use borders on affectation. As Fowler points out, 'will' may be used just as approximately (if not more so) to form the third-person imperative which is so much used in statute law.

Mr ATKINSON: I am indebted to the Minister for that scholarly survey of the rules pertaining to 'shall' and 'will'. I have heard that discourse on another occasion from someone else whose name escapes me at the moment. Will the Minister address the problem created by substituting 'will' for 'shall' in the Wills Act, where a confusion may arise between the two different uses of 'will'?

The Hon. G.J. CRAFTER: That is the sort of argument used by lawyers and described often as the hope of despairing counsel. The honourable member is certainly drawing a longbow to suggest that one could interpolate those words in one's understanding of this piece of law. The word 'will' is used, I would suggest, in a context that will not see it misinterpreted in that way if it is read by an ordinary person with an ordinary grasp of the English language.

But, I guess the point the honourable member makes is valid, in the sense that, first, we need to ensure that we are aware of the needs of ordinary people when we are drafting legislation, so that the maxim that every person is presumed to know the law is in fact an attainable goal throughout statutes; and, secondly, so that we do not unnecessarily confuse people in our use of language. This is a situation in which I believe the ordinary person will not be misled by the use of the word 'will' on many occasions in the Wills Act.

Mr INGERSON: While we very willingly listened to that dissertation, we would like to know on what authority it is based or whether it is just a decision to change it now.

Members interjecting:

The Hon. G.J. CRAFTER: No, nothing as lofty as a learned judge; it is modern drafting practice. As I have explained to the Committee on a number of occasions, that is what we are doing here in statute law revision procedures. There has been a lot of debate in the community in recent years, and indeed in parliamentary circles, about the role of the Parliament in its preparation of legislation in explaining it to the community. Parliamentary Counsel is mindful of that in giving advice to all of us, as members of the Parliament, as we draft legislation and debate it in this place. It is not a matter that has come as a result of a judicial pronouncement. It is a matter of the ongoing process of writing our statutes in language that is plain and understandable to the community and, of course, appropriate.

Schedule passed.

Fourth schedule.

The Hon. G.J. CRAFTER: I move:

Page 7, After the third schedule—Insert fourth schedule as follows:

FOURTH SCHEDULE

Strata Titles Act 1988

Provision Amended	How Amended
Long title	Strike out 'to make consequential or related amendments to the Real Property Act 1886, the Land Agents, Brokers and Valuers Act 1973, the Legal Practitioners Act 1981, and the Retirement Villages Act 1987;'.
Section 2	Strike out this section.
Section 15 (4) *(a)*	Insert 'the' before 'Commission'.
Section 22 (1)	Strike out '$2 000' and substitute 'Division 7 fine'.
Section 23 (5)	Strike out '$200' and substitute 'Division 10 fine'.
Section 26 (6)	Strike out 'It' and substitute 'If'.
Section 29 (3)	Strike out '$2 000' and substitute 'Division 7 fine'.
Section 29 (5)	Strike out '$5 000' and substitute 'Division 5 fine'.
Section 32 (1)	Strike out '$100' and substitute 'Division 11 fine'.
Section 33 (4)	Strike out '$500' and substitute 'Division 9 fine'.
Section 38 (1) and (3)	Strike out '$2 000' (wherever occurring) and substitute, in each case, 'Division 7 fine'.

Provision Amended	How Amended
Section 39 (2)	Strike out '$2 000' and substitute 'Division 7 fine'.
Section 40 (2) *(a)* (ii)	Strike out 'thirtieth day of June' and substitute '30 June'.
Section 41 (1) and (2a)	Strike out '$500' (wherever occurring) and substitute, in each case, 'Division 9 fine'.
Section 44 (3)	Strike out '$1 000' and substitute 'Division 8 fine'.
Section 49 (2)	Strike out '$500' and substitute 'Division 9 fine'.
Section 50 (5)	Strike out '$2 000' and substitute 'Division 7 fine'.
Section 51 (2) *(c)*	Strike out 'penalty' and substitute 'fine'; Strike out '$500' and substitute 'a division 9 fine'.
Schedule 1	Strike out this schedule.

Fourth schedule inserted.

Long title.

The Hon. G.J. CRAFTER: I move:

Page 1—

Line 6—Leave out 'and'.

Line 7—After '1936' insert ', and the Strata Titles Act 1988'.

I referred to these amendments in the second reading explanation. They amend the Legal Practitioners Act in the way I described.

Amendments carried; long title as amended passed.

Bill read a third time and passed.

Mr FERGUSON: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

SITTINGS AND BUSINESS

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That Standing Orders be so far suspended as to enable rescission of the motion for limitation of debate adopted on Tuesday 6 November.

Motion carried.

The Hon. D.J. HOPGOOD: I move:

That the motion for limitation of debate adopted on Tuesday 6 November be rescinded.

Motion carried.

ADJOURNMENT

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the House do now adjourn.

Members interjecting:

The SPEAKER: Order! Would members resume their seat, leave the Chamber or do whatever they have to do—and do it quietly. The honourable member for Morphett.

Mr OSWALD (Morphett): This evening I will raise the issue of the frequency of bus services in the south-western suburbs and draw to the attention of the State Transport Authority several letters which have been forwarded to my office by Miss Patricia Donoughue of Granger Road, Somerton Park. Over the course of some weeks now, Miss Donoughue has written six or seven letters to me and, I think, three or four letters to the General Manager of the STA. In total, her letters to me consist of 16 pages and some 10 pages to the General Manager of the STA, totalling 26 pages of handwritten copy. She has requested that I bring this matter to the attention of both the House and the STA.

Unfortunately, it will not be possible in the 10 minutes allocated to me this evening to read all those letters into *Hansard*, but I will endeavour to precis them so that the STA will have some understanding of her difficulty. It mainly centres around the frequency of bus services in the off-peak periods into an area which has a large number of elderly people and also into an area where at this stage no services at all are provided. Miss Donoughue also conducted a series of surveys prompted initially, I gather, because she had a great deal of concern about the frequency of services running along Diagonal Road between Glenelg and the Westfield shopping centre.

Upon inquiries from other co-users of the bus service, she found a lot of dissatisfaction about the frequency of services. She has expanded those surveys through her own diligence into other areas of the western suburbs. The surveys contain many hundreds of signatures. I believe she even placed a batch of surveys at Harris Scarfe, where she obtained many hundreds of signatures, but unfortunately the survey sheets were stolen.

I will refer to some of the letters that she has specifically asked me to read into *Hansard*. In doing so, I request that the Minister of Transport and the General Manager of the STA undertake a review of services of the routes that will be mentioned and advise me (so that I can pass on the information to Miss Donoughue) whether that review will result in an increase in the number of services. One interesting point that she raises concerns Saturday services. What will the STA do now with the introduction of Saturday afternoon shopping in regional shopping centres? In the past it has been able to argue that there has been insufficient patronage of the service to enable the service to be run on weekends. With Westfield Marion about to open on Saturday afternoons, I would have thought there is a case for reinstating services around the western suburbs that terminate at both Westfield Marion and Glenelg.

I emphasise that I will paraphrase these letters. In a letter to the General Manager of the STA of 31 August my constituent wrote:

I request that you read each petition very carefully, as there are some very concerned people who are angry with the STA. I have so far had very few knockbacks—except for those who have cars in my survey, or did not often catch the buses. Some I have left at shops at Glenelg, Brighton, Hove, Warradale, Oaklands Park, Westfieldtown Shopping Centre, Somerton Park and Adelaide, and some of the surveys I have conducted myself.

A lot of people believe like I do that it is foolish to have the 340, 247 and 231P route running almost together.

A terrible lot complained about the infrequency between 9 a.m. and 4 p.m. and the 340, 680, 681, 650 and 652 not running on the weekends, and the infrequency of the 263 and 266.

A few told me that the 650 and 652 from Glenelg to Mitcham should run on the weekends, plus the 340, 680 and 681 now, especially as there was all day shopping coming in on Saturdays in October.

I intend next week to take the 680 and 681 buses up to Trott Park and Hallett Cove myself with my survey, and go from house to house, as I was told that there was no bus service at all on the weekends up there. Also, I will do the same at Mitcham.

A lot of people have given up on the STA, but I intend to keep fighting, because you have done some surveys yourselves on the buses, so I have been told by a few people, and nothing has been done!

Most people grizzled about there not being enough school buses and some were against free rides for schoolchildren. A lot thought there should be mini-buses during off peak hours, like in England.

That is not a bad idea. It is something that has been talked about for many years now and I believe the public would

be very receptive to it: if not mini-buses, then some form of taxi company working on contract. In the survey my constituent alerts the STA to comments by passengers such as 'lousy', 'shocking', 'weak', 'rotten', and a lot of emphasis about the poor and elderly. In this letter to the General Manager she appeals to him to consider the passengers and to review the routes mentioned.

She got nowhere initially, but in October she received a fairly standard letter from the Director of Corporate Services. After much more persistence with her surveys and letters she eventually received a letter from John Brown, the General Manager of the STA, who pointed out that the resources of the STA were stretched and that they were not prepared to increase services in the areas she mentioned because they did not believe that their surveys warranted such an increase.

Miss Donoughue has done an extraordinary amount of work to bring this need to the attention of the STA, and I would like to see her work rewarded by the STA conducting some further surveys not just during peak hour but during off-peak periods as well so we can establish once and for all whether the residents will get some extra bus services. I would like a response from the STA as to its attitude now that Westfield will be open on Saturday afternoon and whether we can expect to see some additional services provided in that area. I think there is a case. I know the STA will argue, as it always does, that services must be limited because of restricted patronage and, because people do not use the buses, the STA cannot be expected to run them.

It is a bit of a catch 22 situation. A lot of elderly people would like to use shopping centres, particularly now that they can shop on weekends, and the only way some of these elderly people can do this is by using public transport. On behalf of this lady, who has put in such an enormous amount of work over the past few months, I appeal for a review of the frequency of services on the routes mentioned, and I will pass on to her any information that is provided by the Minister. I conclude by saying that I will write again to the Minister and to the General Manager of the STA. If I omitted any route numbers from my presentation this evening because of lack of time, I will give a summary of those route numbers to the Minister.

The SPEAKER: Order! The honourable member's time has expired.

Mr FERGUSON (Henley Beach): During this adjournment debate I wish to refer once more to the problems of litter in the stormwater drainage system which, unfortunately, is polluting both the immediate environment of my electorate and also eventually Gulf St Vincent. I have referred to this matter before, but nothing has improved greatly as far as the problem is concerned. Cans, bottles, plastic bags, fuel containers, detergent bottles, paper and cardboard, drink containers and, indeed, other things such as lawn clippings, etc., are polluting the waterways within the electorate.

I suppose the greatest offenders in all of the litter stream are plastic materials on the one hand and coated cardboard containers on the other. I am aware of the move which has been made for the recycling of plastics. In fact, a firm called Plastic Salvage is collecting plastic bags from the Cheap foods and Foodland supermarkets and recycling them. I am totally in favour of recycling as a way of disposing of some of the problems as far as this litter stream is concerned.

The recycling effort which is being undertaken in Adelaide so far has had very little impact upon my electorate. Foodland and Cheap foods are not prominent supermarkets within my electorate, and unless and until the very large supermarkets, such as Target, Woolworths, Coles and Myer, join in with this type of recycling activity then it is very likely that there will be little impact upon my electorate in regard to the recycling of plastics.

It is interesting to note that the local government of Waverley in Victoria has recently referred to its legal representatives the proposition that that council ban plastic products within its council boundaries. I would be extremely surprised if either the State laws or the advice this council receives from its legal representatives is of much use as far as the banning of plastic products within the Waverley local government area is concerned. It is interesting, however, that local government is so taken up with the point of view that something must be done in the area of plastics in the litter stream that it is prepared to go to the measure that has been suggested—a total ban on plastic material within its council boundaries.

I am also aware of the Smorgon company's proposition that a recycling plant be established here in Adelaide. The cost involved is relatively small. In fact, we are talking about $1.5 million to establish a plastics recycling plant, but as I understand it the Smorgon company is not prepared to go ahead with the establishment of the plant unless the Government guarantees that it will buy all of the in-products, as far as the recycling plant is concerned.

The in-product of the recycled plastic could be fence posts, boardwalks material, garden furniture, etc. I hope that the Government will look seriously at this proposition to determine whether there is any way that the Smorgon family can be accommodated. Alternatively, if that is not a feasible proposition, perhaps some other firm or organisation could be encouraged to build a recycling plant in South Australia.

I have expressed to the House before my concern that local government has made little attempt to enforce the powers given to it under sections 748a to 748d of the Local Government Act to impose expiation fees on people who deliberately litter. This is not a new concept and people know that the very heavy fines that are imposed in other countries have produced some very clean cities, and I refer specifically to Singapore. I suspect that councils have a genuine grievance in regard to the size of the fine and they would be pleased to see the fine increased from $20 to $50, which would bring it into line with the Dog Control Act. However, merely increasing the size of the fine does not automatically mean that this would resolve the problem. There is a need to instil some enthusiasm in local government for imposing the fines.

There is also a difficulty in the power available to require people to prove their identity, and I am in favour of giving council inspectors more power in this regard under section 83 (1) to be able to assist identification. The Act provides that an authorised person may:

> *(a)* require a person who is reasonably suspected by the authorised person of having committed a breach of this Act to state his full name and address:

As it stands, the Act does not recognise a situation in which a person is uncooperative. Section 83 (2) prescribes a maximum penalty of $1 000 for any person who:

> *(a)* obstructs an authorised person in the exercise of powers conferred by this section; or
> *(b)* refuses or fails to comply with a requirement of an authorised person under this section.

It is quite possible for an inspector to let the uncooperative litterer know that, if he or she has given a false name and address or refuses to give one at all, he or she is risking much larger fines when finally caught.

The Recycling Advisory Committee green paper suggests that there ought to be a value added market driven concept towards recycling systems which rely on financial reward

and incentives to draw potentially recyclable material through the system to be reused and recycled. However, my humble opinion is that it would be very unlikely that the South Australian Government could go it alone as far as a market driven concept is concerned. It is my opinion that the vast majority of manufactured products which use plastics are situated in the Eastern States.

It seems to me that there would be an inevitable challenge to whatever laws were passed by this House with respect to the Constitution, similar to the case brought by the Bond brewing interests on the bottle deposit legislation. Agreement is needed on a Federal basis for Federal legislation accompanied by enabling legislation in all States to impose a market driven concept for recycling old material. This is a problem, and I have no need to remind members that it is extraordinarily difficult to get all States and the Commonwealth to agree to a proposition. It seems to take an inordinately long time, once agreement has been reached, for legislation to be introduced. If agreement were reached now, it would be another four years hence, or even longer, before the Federal legislation and the enabling legislation were put together and passed.

Public demand is increasing that something be done about excessive packaging and the waste that occurs in the packaging industry. I feel that there is a consumer demand for less wasteful packaging and/or recycling of packages used on various products. For example, quite a debate is raging as to the use of milk cartons versus milk bottles. I believe that, if we had unfettered competition with respect to the delivery and packaging of milk in bottles in Adelaide, things would be different.

The SPEAKER: Order! The honourable member's time has expired.

Mr BRINDAL (Hayward): I am indebted to my colleague the member for Henley Beach for the subject he introduced to the grievance debate because I will deal with a similar matter. I am also grateful that the Minister for Environment and Planning is present because I want to deal with our beaches and to speak in retrospect about some aspects of the Marine Environment Protection Bill, which this House passed recently, and for which the Government and the Opposition, by its amendments, should be commended. I have been privileged to obtain from the Government a copy of the White Paper on the control of marine pollution from point sources which, although compiled in June 1989, has just become available. For the purpose of this debate, I seek to have incorporated in *Hansard* a table of purely statistical nature.

Leave granted.

APPENDIX 1: POLLUTION SOURCES IN SOUTH AUSTRALIA

	South East	K.I.	Fleurieu Penin.	Metro Adel.	Port Road Bolivar	Port Gawler Wakefield	Yorke Penin.	North Spencer	Eyre Penin.	Total
Point Sources										
Ore/conveyors		3	1				3		1	8
Fish processing	8						2		5	15
Slaughter house									1	1
Grain/conveyors							3		2	5
Sewage effluent—										
septic tanks	1	4		1			3		2	11
untreated	1								1	2
treated				4	3			3		10
Industrial				1	2		1	4	1	9
Cooling water				1	5		1	8		15
Swimming pool				1		1	1			3
Other				1			1			2
Total	10	7	1	9	10	1	15	15	13	81
Diffuse Sources										
Stormwater—										
residential	2	3	4	16			3	3		31
industrial	1			1	9			4		15
agricultural	7									7
res. and indust.		1		9	2	1	3	1	1	18
other mixed	3					1		1		5
Rivers and creeks—										
agricultural	3		1			2		2		8
residential				2			1			3
agric. and res.	1		7	3		2				13
other mixed				3		1		2		6
Rubbish dump	1	1			1	1	1	1	1	7
Septic tanks		1					1		1	3
Total	18	6	12	34	12	8	9	14	3	116

Mr BRINDAL: Members would be well aware that the Marine Environment Protection Bill sought to deal only with point source pollution, and the Minister made that clear. According to the White Paper, South Australia has 81 point source pollutions. It is interesting to note that, of that number, there are only 10 point sources of industrial pollution. Much of the debate on the Bill centred on industrial pollution and the situation in the Iron Triangle, particularly towns such as Port Pirie. Those 81 point sources include ore conveyors, fish processing outlets, slaughterhouses, grain conveyors, sewage effluent from septic tanks (both treated and untreated), cooling water and swimming pools. This puts the debate into perspective. The Minister is to be commended because the legislation covers all those aspects of point source pollution.

I am concerned, as the Minister acknowledged in the debate, that the White Paper lists 116 diffuse sources of pollution which could not be coped with through the introduction of the Bill. I trust that the Government and the Minister will use their best endeavours to introduce whatever measures they feel appropriate to try to deal next with the problem of diffuse point pollution. It is interesting in terms of this White Paper to introduce a matter which I raised in the context of the debate on the Bill and, for that purpose, I will quote the definition of 'pollution of the

marine environment' which was adopted by UN agencies, as follows:

> The introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) which results in such deleterious effects as harm to living resources, hazards to human health, hindrance to marine activities including fishing, impairment of quality for use of sea water and reduction of amenities.

I think that is a very good definition and, while I am not unhappy with the definition in the Act, I wonder why this one was not used as a model. Again, I point the Minister's attention to the word 'energy' and ask her whether at some future stage it would be possible to look at energy as a form of pollution, especially as it relates to the northern waters of Spencer Gulf because I note from the table I have inserted in *Hansard* that there are eight point source solutions of cooling water listed in the north Spencer area, one in the Adelaide metropolitan area and five in the Port Road/Bolivar area. That makes a total of 15 throughout the State.

I have raised this matter previously because, especially in relation to the north Spencer Gulf, the advice of Flinders University and our own research facilities is that the increasing salinity in the gulf, coupled with the natural thermal activity of the water over the seasons, is what causes the natural discharge of the waters from the gulf. There is a convection movement which relies on the natural heat cycle of the waters of the gulf. That concerns me, because all these sources of pollution are relatively new and we do not know their long-term effects. It does, therefore, concern me that if, in an area where we rely on the cooler waters being more dense and sinking to replenish the waters of the gulf we add hot or heated waters, we may be damaging that cycle, so that the long-term effect may be a stagnation of the headwaters of the gulf.

As the honourable member opposite can attest, that is perhaps our most valuable fishing nursery. I think this Parliament must acknowledge the lessons of the Gulf St Vincent—and I blame nobody. Some years ago we had a $30 million prawn industry in the gulf but I believe that the income from that industry has been reduced to about $2 million a year. I do not believe anybody knows the actual cause and everyone concerned is making the very best effort to find out. Spencer Gulf remains a beautiful and unique recreational fishing area; not only that, but it provides a viable industry for this State. I would hate to think that we will not learn from any mistakes we have made in relation to this gulf so that both gulfs eventually pay the same price. So, I ask the Minister whether she will direct the attention of the officers of her department to this matter in case it needs their rightful attention.

In the time left to me I would also like to point out a concern relating to Gulf St Vincent, specifically to the discharge of effluent and sewage sludge into the gulf. I accept that the Government intends to do something about this problem, but I am worried that perhaps the time scale should be maximised, because I fear that we are doing things that are not helpful to the environment. Again, I would point out, from the Minister's White Paper, that the level of faecal coloform bacteria (and there is no suggestion that these bacteria are deleterious to health, but they are the bacteria that are measured to suggest the presence of bacteria that are deleterious to health) should have a median not exceeding 150 organisms per 100 ml for a maximum of five samples taken at irregular intervals, not exceeding one month, with four out of five samples containing less than 600 organisms per 100 ml.

I am worried that, especially near my own electorate of Glenelg, those standards cannot be met, because it was obvious from the Minister's answers to questions in the Estimates Committee that the sludge is active when it goes into the sea and that the effluent waters, at least during the winter months, are not treated. This being the case, there must be many more of these bacteria being released than is good for public health and safety. I would urge the Minister to do everything at her disposal to ensure that this matter is rectified as soon as she is able. I know that the member for Henley Beach (as well as you, Mr Speaker) is as concerned as I am about our coast—indeed, as are all members who have a coastal electorate, because we hold that seaboard in trust not only for ourselves but for the residents of such electorates as the District of Napier, who, I am sure, swim at our beaches.

Motion carried.

At 5.20 p.m. the House adjourned until Tuesday 13 November at 2 p.m.